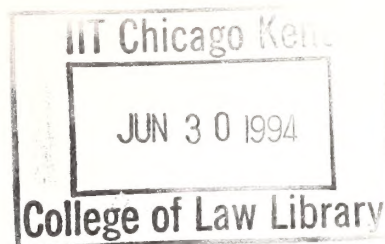


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**1994**

# ***Illinois Register***

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**Rules of Governmental Agencies**

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## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Animal Control Act
- 2) Code Citation: 8 Ill. Adm. Code 30
- 3) Section Numbers: Proposed Action:  
 30.10 Amendment  
 30.20 Amendment  
 30.40 Amendment  
 30.90 Amendment  
 30.140 Amendment
- 4) Statutory Authority: Animal Control Act [510 ILCS 5] and Sections 9 and 10 of the Illinois Diseased Animals Act [510 ILCS 50/9 and 10]
- 5) A Complete Description of the Subjects and Issues Involved:  
 Citations to the Illinois Revised Statutes have been deleted, and citations to the Illinois Compiled Statutes have been added. The Department is proposing to adopt the most current printed version of the Journal of the American Veterinary Medical Association regarding euthanasia. In Section 30.40(c), the Illinois Revised Statute citation was deleted because this law was repealed in 1990.

6) Will this proposed rule replace an emergency rule in effect?: No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: Rule does not affect units of local governments.

11) Time, Place and Manner in which interested persons can comment on this proposed rulemaking: A public hearing on the proposed amendments will be held on August 4, 1994, at 10:00 a.m., Department of Agriculture, State Fairgrounds, Springfield, Illinois. Persons unable to attend the hearing may present their comments on the proposed rulemaking in writing to the Director, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9281. Mailed comments must be postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENTS

Commissioners.

The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: None  
 B) Reporting, bookkeeping or other procedures required for compliance: None  
 D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:



## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENT(S)

TITLE 8: AGRICULTURE AND ANIMALS  
 CHAPTER I: DEPARTMENT OF AGRICULTURE  
 SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS (EXCEPT MEAT  
 AND POULTRY INSPECTION ACT REGULATIONS)

PART 30  
 ANIMAL CONTROL ACT

- Section  
 30.10 Definitions  
 30.20 Interstate Shipment of Dogs; Health Certificate Required  
 30.30 Causes for Removal of Administrator or Wardens from Office  
 30.40 District Boards  
 30.50 Training of Animal Control Wardens  
 30.60 Rabies Vaccination Tags; County Accountable for Rabies Tags  
 30.70 Rabies Vaccination Tag and Certificate Honored by All Counties; Interstate Shipment of Dogs Recognized as Officially Vaccinated  
 30.80 Approval of Rabies Vaccination Tags and Color  
 30.90 Recognized Immunity Period of Animal Rabies Vaccines  
 30.100 Unvaccinated Impounded Dog  
 30.110 Confinement Period for Animal Which Has Bitten a Person  
 30.120 Biting Animal Considered Officially Vaccinated; Brains of Dogs Suspected of Having Rabies and Which Have Died Shall Be Submitted for Examination  
 30.130 Rabid Animals; Procedures for Revaccination, Confinement or Destruction  
 30.140 Dangerous Dog; Control Methods  
 30.150 Claim for Loss of Animals or Poultry Killed or Injured by Dogs  
 30.160 County Animal Control Program; Requirements  
 30.170 County and Municipality Sharing Registration Fees

AUTHORITY: Implementing and authorized by the Animal Control Act (Ill. Rev. Stat., 1991, ch. 8, par. 351 et seq., as amended by P.A. 87-151, effective January 1, 1992, and P.A. 87-157, effective January 1, 1992) [510 ILCS 51 and authorized by Sections 9 and 10 of the Illinois Diseased Animals Act (Ill. Rev. Stat., 1991, ch. 8, par. 176 and 177) [510 ILCS 50/9 and 10].

SOURCE: Rules and Regulations Relating to the Animal Control Act, filed September 16, 1974, effective September 26, 1974; filed August 19, 1975, effective August 29, 1975; filed December 10, 1976, effective January 1, 1977; codified at 5 Ill. Reg. 10440; amended at 7 Ill. Reg. 1712, effective January 28, 1983; amended at 12 Ill. Reg. 2216, effective January 19, 1988; amended at 16 Ill. Reg. 11751, effective July 8, 1992; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENT(S)

## Section 30.10 Definitions

For the purpose of this Act and these rules, the following definitions shall apply:

"Confined under the observation of a licensed veterinarian" means confined to an escape-proof building or other enclosure away from other animals and the public, and observed daily by the Administrator or another licensed veterinarian.

"Division" means the Division of Animal Industries of the Illinois Department of Agriculture.

"Escape-proof building or other enclosure" means a building or other enclosure of such strength and structure to keep the confined animal away from other animals and the public.

"Humanely dispatched" means the painless administration of a lethal dose of an agent which shall cause the painless death of an animal as prescribed in the Journal of the American Veterinary Medical Association, July 1, 1978, January 15, 1993. Said method shall not destroy brain tissue necessary for laboratory examination for rabies. Animals shall be handled prior to administration of the agent in such a manner as to avoid undue apprehension by the animal.

"Official health certificate" means a legible record, made on an official form of the state of origin, or the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture, and issued by a licensed veterinarian of the state of origin, a veterinarian in the employ of the Animal and Plant Health Inspection Service, or a veterinarian in the employ of the United States Armed Services, which shows that the dog(s) listed thereon meet the health requirements of the State of Illinois. The official health certificate shall contain the name and address of the consignor; the name and address of the consignee; an accurate description or identification including age, sex and breed of the dog(s) involved; and shall also indicate the health status of the dog(s), including the date(s) of vaccination(s), type of vaccine, name of manufacturer, serial number, and amount of vaccine administered.

"Officially vaccinated" means the inoculation of a dog



## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENT(S)

with a vaccine as set forth in 8 Ill. Adm. Code 30.90 of these rules; administered by a licensed veterinarian by the route and in the amount recommended by the producer of the vaccine and for which a county rabies vaccination tag has been issued and properly recorded on a certificate as prescribed by the Board.

"Program" means the Animal Control Program as organized for the purpose of carrying out the provisions of this Act and the rules pursuant thereto.

"Recognized laboratory" means a laboratory operated by the State Department of Agriculture, the State Department of Public Health, any land grant university, or other laboratories approved by the Department of Public Health.

"Stray" means an animal which shall be considered a stray according to the ordinances that exist in the county in which the animal is found.

"Straying" means a dog or other animal not on the premises of the owner or not confined or under control by leash or other recognized control methods as set forth in 1, 2 and 3 under (b) in 8 Ill. Adm. Code 30.140.

"Wild animal" means a wolf, coyote, or the offspring of a mating between a wolf or coyote and a dog.

(Source: amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### Section 30.20 Interstate Shipment of Dogs; Health Certificate Required

- a) Dogs of any age brought into Illinois shall be accompanied by an official health certificate issued within 30 days of entry, showing the age, sex, breed, and description of each dog; that the dogs in shipment are free from visible evidence of communicable diseases as set forth in Sections 9 and 10 of the Illinois Diseased Animals Act (Ill. Rev. Stat., 1985, ch. 8, pars. 176 and 177) [510 ILCS 50/9 and 10]; that they originated in an area not under quarantine because of rabies or if originating in an area under quarantine because of rabies, have obtained prior permission from the Division that will be granted by telephoning 217/782-4944 and indicating that the dogs have not been in physical contact with rabid animals; and that all dogs over 16 weeks of age have been vaccinated against

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENT(S)

rabies as set forth in 8 Ill. Adm. Code 30.90. A copy of the health certificate bearing the approval of the Animal Health Official of the state of origin shall be filed with the Division.

- b) This rule shall not apply to dogs consigned to hospitals, pharmaceutical companies, or licensed research institutions for research or teaching, nor to performing dogs or dogs brought in for a limited period of time for exhibition or breeding purposes and kept under direct control while in Illinois; provided, such performing dogs, dogs for exhibition, or dogs for breeding purposes have been vaccinated against rabies prior to entry into Illinois.

(Source: amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### Section 30.40 District Boards

- a) When Districts are established under this Act, the District Board shall meet in February, May, August, and November of each year. At each November session, the District Board shall elect one of their number chairman for the ensuing year. He shall preside at their sessions and perform such duties as are, or may be, prescribed by law or by the order of said District Board. An acting chairman shall be elected at the initial organizational meeting of the District Board, and shall serve until the regular election at the next November meeting.

- b) One member of the District Board shall be elected Secretary-Treasurer and shall keep minutes of each meeting, records of all finances, and assume other duties as assigned by the District Board. The Secretary-Treasurer shall make all records available to each County Board involved, and to the Department upon request.

- c) Compensation for members of the District Board shall be borne by each member's respective County Board in such amounts as provided for in Chapter 53, Paragraph 58.1 (Fees and Salaries), Illinois Revised Statutes.

- d) When a District is formed, the words "County Board" or "Board" as used in this Act and its rules shall be interpreted to mean "District Board" when applicable.



## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENT(S)

(Source: amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 30.90 Recognized Immunity Period of Animal Rabies Vaccines

- a) The Department will accept the recognized immunity period of animal rabies vaccines licensed by Biologics Licensing and Standards Staff of Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture. To aid county officials in enforcing the Animal Control Act, the Department will periodically issue to the Administrator of each county a list of the licensed animal rabies vaccines recognized for use in Illinois, and the recognized immunity period of those vaccines. At such time as new animal rabies vaccines are recognized, or revisions made in recommendations, the Department shall so notify the Administrator.
- b) Animal rabies vaccines shall be administered to dogs or other animals by the route and in the amount recommended by the producer of the vaccine.
- c) Dogs required to be vaccinated against rabies as specified in Section 8 of the Animal Control Act shall be revaccinated within the time period specified for the particular vaccine administered, EXCEPT that dogs initially vaccinated when less than 1 year of age shall be revaccinated 1 year after the initial vaccination. Thus, when an animal rabies vaccine recognized as conveying a 3-year immunity is administered to a dog which is at least 1 year of age at the time of vaccination, that vaccination shall be recognized for a period of 3 years. If, however, a dog is under 1 year of age at time of initial vaccination with a vaccine recognized as conveying a 3-year immunity, that vaccination will only be recognized for a period of 1 year.
- d) The certificate of vaccination issued shall specify the recognized duration of immunity in accordance with the provisions of 8 Ill. Adm. Code 30.90(c).
- e) When the vaccine manufacturer recommends that 2 doses of an animal rabies vaccine be administered at specific time intervals for initial immunization, a dog receiving such vaccine cannot be considered as officially vaccinated against rabies until it has received both injections AND the rabies vaccination certificate shall not be issued until the dog has received the second injection of the

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENT(S)

vaccine.

- f) There is no recognized vaccine approved for use on wild animals; therefore, wild animals shall not be vaccinated against rabies. Any wild animal so vaccinated shall not be recognized as an official vaccinee and such animal shall be subject to the provisions of the Illinois Dangerous Animals Act (~~Ill. Rev. Stat., 1985, ch. 8, par. 240-et-seq.~~) [720 ILCS 585].

(Source: amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 30.140 Dangerous Dog; Control Methods

Under Section 15 of this Act:

- a) A dangerous dog shall mean a dog as defined in Section 15(a)(2) of the Animal Control Act (~~Ill. Rev. Stat., 1985, ch. 8, par. 357(a)(2), as amended by P.A. 85-0275, effective January 1, 1988 and P.A. 85-0798, effective January 1, 1988~~) [510 ILCS 5/15(a)(2)].
- b) The following shall be accepted as recognized control methods for dangerous dogs:
  - 1) Placing an animal within an enclosed automobile, truck, or other vehicle not being used as a public conveyance of humans, or
  - 2) Shipping an animal on a public conveyance that is properly confined in a shipping container conspicuously labeled "DANGEROUS ANIMAL" and constructed of materials in such a manner to prevent the animal from biting other animals or the public, or
  - 3) Properly muzzling an animal and placing it on a leash of sufficient strength to keep such animal under control, and held by a competent person capable of controlling such animal, or
  - 4) Confining the animal on the premises of the owner in such a manner as to prevent its coming in contact with other animals or the public.
- c) The owner of any dog exempt under Section 15 shall provide the Administrator with the breed, description, name and location where such dog can be expected to be located at



## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENT(S)

all times when not on leash or under direct control of its owner.

- d) A dog exempt under Section 15 of this Act when not under direct control by leash or other recognized control methods shall be confined in such a manner as to prevent it from attacking or injuring any person who is peacefully conducting himself where he lawfully may be.

(Source: amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Animal Diagnostic Laboratory Act

- 2) Code Citation: 8 Ill. Adm. Code 110

- 3) Section Numbers: Proposed Action:  
110.50 Amendment  
110.70 Amendment  
110.90 Amendment  
110.110 Amendment

- 4) Statutory Authority: Animal Disease Laboratory Act [510 ILCS 10]

- 5) A Complete Description of the Subjects and Issues Involved: Citation to the Illinois Revised Statutes has been deleted, and citation to the Illinois Compiled Statutes has been added.

Due to the increasing cost of disposing of dead animals, the disposal charge is being added to the necropsy fee (in cases where no additional tests are performed in addition to the necropsy) in Section 110.50(b). Also in this same section, a fee for cosmetic necropsy is being added in cases where the owner wants the carcass back.

The Galesburg laboratory no longer performs some of the tests listed in Sections 110.70 and 110.90 and thus the "G" has been deleted. Section 110.70(d)(13) has been deleted as A-G Ratios are no longer performed at either laboratory.

In Section 110.90(b)(5), the Department is giving a cut rate for multiple samples submitted for virus isolation in cell culture at the request of the livestock industry.

Additional categories have been added in Sections 110.90(b) and 110.110(h).

- 6) Will this proposed rule replace an emergency rule in effect?: No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed amendment contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: Rule does not affect units of local governments.

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENTS

- 11) Time, Place and Manner in which interested persons can comment on this proposed rulemaking: A public hearing on the proposed amendments will be held on August 4, 1994, at 10:00 a.m., Department of Agriculture, State Fairgrounds, Springfield, Illinois. Persons unable to attend the hearing may present their comments on the proposed rulemaking in writing to the Director, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9281. Mailed comments must be postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.

The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: Veterinarians, producers of livestock, or anyone requesting laboratory services.
- B) Reporting, bookkeeping or other procedures required for compliance: Persons requesting laboratory services must pay the fees being charged for the desired tests or services.
- D) Types of professional skills necessary for compliance: Basic management.

The full text of the Proposed Amendments begins on the next page:

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENT

TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER 1: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS  
(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 110  
ANIMAL DIAGNOSTIC LABORATORY ACT

Section	
110.10	Definitions
110.20	Submitting Specimens
110.30	Payment For Laboratory Services
110.40	Tests Not Covered By Fee Schedule
110.50	Minimum Fees
110.60	Euthanasia Fees
110.70	Clinical Pathology Fees
110.80	Histopathology Fees
110.90	Microbiology Fees
110.100	Parasitology Fees
110.110	Toxicology Fees
110.120	Miscellaneous Fees
110.130	Meats Chemistry Fees

**AUTHORITY:** Implementing and authorized by the Animal Disease Laboratory Act (~~Ill. Rev. Stat., 1991, ch. 8, par. 105.11~~) [510 ILCS 10].

**SOURCE:** Adopted and codified at 8 Ill. Reg. 9047, effective July 1, 1984; amended at 9 Ill. Reg. 4471, effective March 22, 1985; amended at 9 Ill. Reg. 19638, effective January 1, 1986; amended at 10 Ill. Reg. 9733, effective May 21, 1986; amended at 11 Ill. Reg. 10163, effective May 15, 1987; amended at 12 Ill. Reg. 3379, effective January 25, 1988; amended at 13 Ill. Reg. 3617, effective April 15, 1989; amended at 14 Ill. Reg. 1907, effective January 19, 1990; amended at 14 Ill. Reg. 3416, effective March 1, 1990; amended at 16 Ill. Reg. 15304, effective September 10, 1990; amended at 18 Ill. Reg. 11416, effective July 1, 1992; amended at 18 Ill. Reg. 1825, effective February 1, 1994; amended at 18 Ill. Reg. \_\_\_, effective \_\_\_\_.

Section 110.50 Minimum Fees

- a) A minimum accession fee of \$5 per accession shall be charged on all accessions originating from Illinois animals, with the exception of samples for trichinosis testing for which the minimum accession fee is \$1. If such fees for the individual tests exceed the minimum fee, no minimum fee shall be charged. Persons submitting



## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENT

specimens for which there are no charges for the laboratory procedure shall be exempt from the minimum fee.

- b) The necropsy fee is \$40 per accession up to four animals for all species and cadavers submitted where more than one test is needed, with an additional \$15 for each additional animal. Poultry are exempt from the additional charge for each additional animal over four. If multiple tissue specimens are submitted where more than one test is needed, the fee is \$35 per accession for up to four animals with an additional \$15 for each additional animal. The necropsy fee and multiple tissue specimens fee will include a test in pathology, microbiology, parasitology and toxicology as indicated by the necropsy. These fees do not include electron microscopy examination, toxicologic screens, water and feed analysis, serology or herd surveys. In cases where only a necropsy is performed without any tests, the fee is \$20 plus the disposal fee. The fee for a cosmetic necropsy is \$200 (cases where the owner wants the carcass back).

- c) Electron microscopy and toxicologic tests (other than a screen for metals and pesticides) shall be performed only after consultation with and with approval from the person who requested the laboratory services at the fees set forth in this Part.

- d) All fees, including the minimum accession and necropsy fee, shall be doubled on all out-of-state animals, unless a specific charge is noted or the sample is referred from another state diagnostic laboratory at which time only the in-state fee will be charged.

- e) Serologic tests on paired, acute and convalescent specimens will be billed as one accession at the fee set forth in this Part.

- f) Accessions submitted as "rush priority" specimens shall be charged at twice the normal rate. This charge shall apply to any submission requesting service at a rate faster than the normal laboratory routine turnaround time for the requested test (e.g., before the regularly scheduled day, before other samples or on days requiring additional personnel time such as weekends or holidays). For cases where there is no in-state fee (i.e. pseudorabies or bovine or swine brucellosis), the fee

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENT

shall be as for out-of-state samples.

- g) The fee for accessions up to four animals or multiple tissues from up to four animals for the following work-ups will be as indicated, with an additional \$15.00 for each additional animal. Poultry are exempt from the additional charge for each additional animal over four.

- 1) Porcine Abortion Work-up . . . . . \$50.00 C, G
- 2) Bovine Abortion Work-up . . . . . 75.00 C, G
- 3) Respiratory or Enteric Diagnostic Work-up . . . . . 50.00 C, G

(Source: amended at 18 Ill. Reg. \_\_\_, effective \_\_\_\_\_)

## Section 110.70 Clinical Pathology Fees

The following fees apply to those specimens submitted where a necropsy is not involved; with a minimum total fee of \$5.00:

## a) Hematology:

- 1) Complete Blood Count (RBC, Hb, Ht, WBC, Diff.) . . . . . \$ 8.00 C, G
- 2) Erythrocyte . . . . . 3.00 C, G
- 3) Leukocyte . . . . . 3.00 C, G
- 4) Bendixen Key . . . . . 5.00 C, G
- 5) Hemoglobin . . . . . 3.00 C, G
- 6) Hematocrit . . . . . 3.00 C, G
- 7) Differential . . . . . 3.00 C, G
- 8) L.E. Prep (Lupus erythematosus) . . . . . 10.00 C, G
- 9) Eosinophil Count--Total . . . . . 5.00 C, G
- 10) Stippling . . . . . 3.00 C, G
- 11) Fibrinogen . . . . . 3.00 C, G
- 12) Erythrocyte Indices . . . . . 3.00 C, G
- 13) Shorr Stain (canine distemper) . . . . . 5.00 C, G
- 14) Hemobartonella--Acridine Orange . . . . . 5.00 C, G
- 15) Erythrocyte Parasites--Wright's Giemsa Stain . . . . . 5.00 C, G
- 16) Erythrocyte Sedimentation Rate . . . . . 5.00 C, G
- 17) Blood Compatibility Crossmatch . . . . . 7.00 C, G
- 18) Pandey (Qualitative Protein) . . . . . 3.00 C, G
- 19) Bone Marrow, Collection and Examination . . . . . 20.00 C, G
- 20) Bone Marrow Examination . . . . . 5.00 C, G
- 21) Microfilaria . . . . . 3.00 C, G

## b) Urinalysis

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- 1) Routine Chemistry and Microscopic Examination . . . . . 5.00 C, G
- 2) Urine Urobilinogen, Qualitative . . . . . 3.00 G
- 3) Urine Na . . . . . 3.00 C-G
- 4) Urine K . . . . . 3.00 C-G
- c) Enzymology
- 1) SGOT (serum glutamic oxalacetic transaminase) . . . . . 3.00 C-G
- 2) SGPT (serum glutamic pyruvic transaminase) . . . . . 3.00 C-G
- 3) LDH (lactic dehydrogenase) . . . . . 3.00 C
- 4) Alkaline Phosphatase . . . . . 3.00 C-G
- 5) Lipase . . . . . 5.00 C
- 6) Amylase . . . . . 5.00 C-G
- 7) Sorbitol dehydrogenase . . . . . 5.00 C
- 8) Arginase . . . . . 5.00 C
- 9) Trypsin Fecal Digestion . . . . . 3.00 G

## d) Chemistry

- 1) Bilirubin--Total and Direct . . . . . 10.00 C
- Total Only . . . . . 5.00 C
- Direct Only . . . . . 5.00 C
- 2) Electrolytes (Ca, P, Mg, K, and Na) . . . . . 12.00 C, G
- 3) Calcium . . . . . 3.00 C, G
- 4) Chloride . . . . . 3.00 C
- 5) Cholesterol, Total . . . . . 3.00 C-G
- 6) Creatinine . . . . . 3.00 C-G
- 7) Glucose . . . . . 3.00 C-G
- 8) Phosphorus . . . . . 3.00 C, G
- 9) Lactic Acid . . . . . 3.00 C
- 10) Potassium . . . . . 3.00 C, G
- 11) Total Protein . . . . . 3.00 C, G
- 12) Albumin . . . . . 3.00 C-G
- 13) A-G Ratio . . . . . 3.00 C
- 143) Sodium . . . . . 3.00 C, G
- 154) Blood Urea Nitrogen . . . . . 3.00 C-G
- 165) Uric Acid . . . . . 3.00 C
- 176) Zinc . . . . . 3.00 C
- 187) Magnesium . . . . . 3.00 C
- 198) Copper . . . . . 3.00 C
- 2019) Iron . . . . . 3.00 C

## e) Other Tests

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- 1) Calculi Analysis, Qualitative . . . . . 10.00 C
- 2) Semen Examination . . . . . 10.00 C, G
- 3) Cytology Transudate/Exudate  
Cytology Examination Only . . . . . 5.00 C, G
- Complete (i.e., Count, SG, TP, Sugar,  
Culture) . . . . . 15.00 C, G
- 4) Spinal Fluid (Cytology, SG, TP) . . . . . 10.00 C, G
- (Source: \_\_\_\_\_) amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_

## Section 110.90 Microbiology Fees

The following are the fees for microbiology:

## a) Bacteriology, Mycoplasma and Fungi

- 1) Aerobic or anaerobic culture without sensitivity testing . . . . . 10.00 C, G
- 2) Aerobic culture with sensitivity testing . . . . . 15.00 C, G
- 3) Clostridium perfringens serotyping . . . . . 5.00 G
- 4) Milk samples for mastitis evaluation  
1-4 specimens . . . . . 15.00 C, G  
(additional specimens, each at) . . . . . 2.00 C, G
- Wisconsin mastitis test  
1-10 specimens, each . . . . . 2.00 C  
(additional specimens, each at) . . . . . 1.00 C
- 5) Leptospirosis - 6 serotypes  
Microtiter test - per specimen . . . . . 2.00 C, G
- 6) Canine brucellosis  
- per specimen . . . . . 5.00 C, G, S
- 7) Fluorescent Antibody Test (FA) . . . . . 10.00 C, G
- 8) Escherichia coli serotyping . . . . . 3.00 C-G
- 9) Campylobacter (culture) . . . . . 4.00 C, G
- 10) Salmonella Serotyping . . . . . 1.00 C-G
- Salmonella isolation using enrichment media . . . . . 6.00 C, G
- 11) Hemophilus (culture) . . . . . 3.00 C, G
- 12) Nasal Swabs--Bordetella . . . . . 2.00 C, G
- 13) Listeria (culture) . . . . . 4.00 C, G
- 14) Haemophilus equigenitalis (CEM) . . . . . 4.00 C, G
- 15) Spirochetes (swine dysentery--Treponema sp.) . . . . . 3.00 C, G
- 16) John's Bacillus (first specimen) . . . . . 7.00 C, G  
(each additional specimen) . . . . . 4.00 C, G
- 17) Prepare and Supply Transport Media (per tube) . . . . . 1.00 C, G



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18)	Return culture for bacterin production per organism . . . . .	2.00 C, G
19)	Mycology Testing . . . . .	6.00 C, G
20)	Microscopic examination . . . . .	3.00 C
21)	Mycoplasma Testing . . . . .	6.00 C, G
22)	E. Coli or Metritis (1-4 specimens) . . . . .	15.00 C, G
	(each additional specimen) . . . . .	2.00 C, G
b)	Virology	
1)	Electron Microscopy - fecal . . . . .	15.00 G
2)	Pseudorabies Serology (positive or negative) . . . . .	no charge C, G
	Pseudorabies Serology Out-of-State . . . . .	3.00 C, G
	Pseudorabies Serology (positive or negative) and end titer . . . . .	3.00 C, G
	Pseudorabies Serology (request for screen at dilution of 1:2) . . . . .	3.00 C, G
3)	Fluorescent Antibody Test . . . . .	10.00 C, G
4)	Rabies . . . . .	5.00 C, G
5)	Virus Isolation in Cell Culture (1 specimen) . . . . .	15.00 C, G
	(Each additional specimen) . . . . .	10.00 C, G
6)	Viral Serology (each disease) (1-5 specimens, each) . . . . .	3.00 C, G
	(Each additional specimen) . . . . .	1.00 C, G
7)	Feline Leukemia Virus . . . . .	10.00 C
8)	Feline Infectious Peritonitis (F.I.P.) . . . . .	5.00 C
9)	Canine parvo-virus (ELISA) fecal . . . . .	5.00 C, G
10)	Canine parvo-virus serum . . . . .	5.00 C
11)	Canine distemper on serum . . . . .	5.00 C
12)	Rota-virus on fecal . . . . .	10.00 C
13)	Semen testing (export) . . . . .	10.00 C
14)	Swine enterovirus (8 serotypes) . . . . .	12.00 C
15)	FeLV-FeLT . . . . .	15.00 C
16)	Porcine fetal fluid IgG . . . . .	3.00 G
17)	Feline lentivirus (FeLT) . . . . .	10.00 C
18)	Excephalomycocarditis (1-5 specimens each) . . . . .	3.00 C, G
	(Each additional specimen) . . . . .	1.00 C, G
19)	PRRS (screening 1:20) . . . . .	2.00 G
	PRRS end titer . . . . .	4.00 C, G
c)	Chlamydia Isolation in Cell Culture . . . . .	15.00 C, G
d)	Miscellaneous serology	
1)	Toxoplasmosis . . . . .	5.00 C
2)	EIA-AGID . . . . .	2.50 S

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3)	Mare Immunological Pregnancy Test (35-60 days post-service) . . . . .	15.00 C
4)	Alutian Disease-Mink (Immunoelectrophoresis) . . . . .	.20 S
5)	Out-of-State brucellosis serology . . . . .	.50 C,G,S
6)	Brucellosis testing other than bovine, porcine and canine . . . . .	.50 C,G,S
7)	Bluetongue (1-5 specimens, each) . . . . .	3.00 C, S
	(Each additional specimen) . . . . .	2.00 C, S
8)	Bovine leukosis (BLV-AGID) (1-5 specimens, each) . . . . .	3.00 C, S
	(Each additional specimen) . . . . .	1.00 C, S
9)	Vesicular stomatitis . . . . .	3.00 C
10)	Complement Fixation Serology (1-5 specimens, each) . . . . .	3.00 C
	(Each additional specimen) . . . . .	1.00 C

Note: The Complement Fixation Serology tests include testing for anaplasmosis, and chlamydia.

(Source: Amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## Section 110.110 Toxicology Fees

- a) A maximum charge of \$100 shall be assessed Illinois residents. There is no maximum charge for out-of-state residents.
- b) Toxicology Work-up:
- Maximum \$50 per animal or \$100 per herd (Illinois animals)
- c) Metals
- 1) Arsenic or Selenium 1-3 specimens, each . . . . . 20.00 C
  - each additional specimen . . . . . 10.00 C
  - 2) Lead, Copper, Zinc, Thallium, Calcium, Sodium, Manganese, Potassium, Iron, Chromium, Cobalt, Nickel, or Manganese 1-3 specimens, each . . . . . 8.00 C
  - each additional specimen . . . . . 5.00 C
  - 3) Cadmium, Molybdenum and Mercury 1-3 specimens, each . . . . . 10.00 C
  - (each additional specimen) . . . . . 6.00 C

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d) Insecticide Screen	
1) Organochlorines, organophosphates . . .	40.00
2) Carbamates . . . . .	30.00
3) Individual insecticide . . . . .	20.00
4) Ivermectin:	
Blood . . . . .	25.00
Tissue . . . . .	50.00
e) Herbicides	
1) Phenoxy compounds . . . . .	40.00
2) Individual analysis of any herbicide from screen . . . . .	20.00
3) Herbicide screen (heterocyclic nitrogen derivatives, dinitroanilines, urea, carbamate and anilide compounds) . . . . .	50.00
4) Imidazole compounds . . . . .	50.00
f) Rodenticides	
1) Anticoagulant screen . . . . .	25.00
2) Zinc Phosphide . . . . .	10.00
3) Strychnine and other alkaloids . . . . .	10.00
4) Yellow Phosphorus . . . . .	5.00
5) Individual anticoagulant . . . . .	10.00
6) Fluoracetate (1080) . . . . .	20.00
g) Mycotoxins	
1) Screen (aflatoxins, T-2, DAS, Vomitoxin, Zearalenone) . . . . .	50.00
2) Milk or urine aflatoxin . . . . .	20.00
3) Ochratoxin . . . . .	30.00
4) Citrinin . . . . .	30.00
5) Individual analysis of any mycotoxin from screen . . . . .	30.00
6) Cyclopiazonic acid (CPA) . . . . .	30.00
7) Blacklight for Aspergillus flavus . . . . .	2.00
8) Endophyte testing	
Staining . . . . .	12.50
Grow-out . . . . .	15.00
h) Miscellaneous Analysis	
1) Feed microscopy . . . . .	10.00
2) Nitrate:	
Ground Materials (first specimen) . . . . .	8.00

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3) Cyanide . . . . .	10.00
4) Cyanide (screen-picric acid)	
Ammonia (Urea Toxicosis) first specimen . . . . .	10.00
(each additional specimen) . . . . .	5.00
5) Carboxyhemoglobin, Methemoglobin, Sulfa hemoglobin	
(first specimen) . . . . .	15.00
(each additional specimen) . . . . .	5.00
6) Sulfate . . . . .	5.00
7) Creosote, Petroleum Products . . . . .	15.00
8) pH . . . . .	1.00
9) Urea . . . . .	10.00
10) Total chlorides, feeds or water . . . . .	5.00
11) Monensin or other ionophore (each) . . . . .	25.00
12) Water chlorine . . . . .	5.00
13) Water nitrate, nitrite (each) . . . . .	5.00
14) Water hydrogen sulfide . . . . .	5.00
15) Water hardness . . . . .	5.00
16) Pentachlorophenol (PCP or Penta) . . . . .	15.00
17) Bone--Percent Ash, Ca, Po4 . . . . .	12.00
18) Ca, Po4 (in feed) . . . . .	10.00
19) Ergot alkaloids . . . . .	15.00
20) Antibiotics in feed (each) . . . . .	15.00
21) Vitamin Analysis (each) . . . . .	10.00
22) Feed Quality Analysis . . . . .	30.00
23) Protein and moisture analysis . . . . .	7.50
24) Gas chromatographic/mass spectrophotometric analysis (each sample) . . . . .	50.00
25) Cholinesterase:	
Blood (first specimen) . . . . .	10.00
(each additional specimen) . . . . .	5.00
Brain (first specimen) . . . . .	15.00
(each additional specimen) . . . . .	10.00
26) Drug screen . . . . .	25.00
27) Sulfa residue (each sulfa drug) . . . . .	5.00
28) Water quality screen (CH, OP, Carbamates, Herbicides, Lead) . . . . .	100.00
29) Total dissolved solids (Water) . . . . .	5.00
30) Specific gravity (Water) . . . . .	5.00
31) Polychlorinated biphenyls (PCB) . . . . .	50.00
32) Sugar analysis (each) . . . . .	20.00
33) Ethylene glycol . . . . .	20.00



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34) Fiber . . . . . 5.00 C

(Source: amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

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- 1) Heading of Part: Animal Welfare Act
- 2) Code Citation: 8 Ill. Adm. Code 25
- 3) Section Numbers: Proposed Action:

25.20	Amendment
25.30	Amendment
25.50	Amendment
25.80	Amendment
25.110	Amendment
25.120	Amendment
25.130	Amendment

- 4) Statutory Authority: Animal Welfare Act [225 ILCS 605] and the Illinois Diseased Animals Act [510 ILCS 50]

- 5) A Complete Description of the Subjects and Issues Involved: Citations to the Illinois Revised Statutes have been deleted, and citations to the Illinois Compiled Statutes have been added. The Department is proposing to adopt the most current printed versions of referenced federal acts and regulations and the Journal of the American Veterinary Medication Association. In Section 25.80, the references to the division superintendent were changed to the Department Director.

- 6) Will this proposed rule replace an emergency rule in effect?: No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed amendment contain incorporations by reference? Yes

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: Rule does not affect units of local governments.

- 11) Time, Place and Manner in which interested persons can comment on this proposed rulemaking: A public hearing on the proposed amendments will be held on August 4, 1994, at 10:00 a.m., Department of Agriculture, State Fairgrounds, Springfield, Illinois. Persons unable to attend the hearing may present their comments on the proposed rulemaking in writing to the Director, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9281. Mailed comments must be postmarked no later than July 28, 1994 so they will be available for consideration at the public

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hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.

The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

## 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: None  
 B) Reporting, bookkeeping or other procedures required for compliance: None  
 D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

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## NOTICE OF PROPOSED AMENDMENT(S)

TITLE 8: AGRICULTURE AND ANIMALS  
 CHAPTER I: DEPARTMENT OF AGRICULTURE  
 SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS (EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 25  
 ANIMAL WELFARE ACT

Section
25.10 Definitions
25.15 Incorporations By Reference
25.20 Buildings and Premises
25.30 General Care of Animals
25.40 Dogs Brought into Illinois
25.50 Shipment of Mammals and Birds
25.60 Health of Animals at Time of Release
25.70 Department May Restrict The Sale of Animals
25.80 Quarantine
25.90 Records
25.100 Consent Statement and Inspection
25.110 Animals Prohibited from Sale
25.120 Boarding and Training
25.130 Pounds and Animal Shelters

AUTHORITY: Implementing and authorized by the Animal Welfare Act (~~Ill. Rev. Stat., 1987, ch. 8, par. 301 et seq.~~) [225 ILCS 605] and the Illinois Diseased Animals Act (~~Ill. Rev. Stat., 1987, ch. 8, par. 168 et seq.~~) [510 ILCS 50].

SOURCE: Regulations Relating to the Animal Welfare Act, filed May 17, 1974, effective May 27, 1974; filed October 6, 1976, effective October 16, 1976; codified at 5 Ill. Reg. 10438; amended at 7 Ill. Reg. 1724, effective January 28, 1983; amended at 12 Ill. Reg. 8265, effective May 2, 1988; amended at 13 Ill. Reg. 3628, effective March 13, 1989; amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_.

## Section 25.20 Buildings and Premises

- a) All buildings and premises shall be maintained in a sanitary condition and the licensee shall:
- 1) Have equipment available for proper storage or disposal of waste material to control vermin and insects.
  - 2) Dispose of dead animals in compliance with "~~AN ACT in relation to the disposal of dead animals~~" the Illinois



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~~Dead Animal Disposal Act (Ill. Rev. Stat. 1997, ch. 97, par. 149 et seq.) [225 ILCS 610] and rules enacted pursuant to that Law (8 Ill. Adm. Code 85).~~  
Compliance with this State Law shall not exempt licensee from compliance with local ordinances.

- 3) Take effective control measures to prevent infestation of animals and premises with external parasites and vermin.
- 4) Provide water from a source having sufficient pressure to properly sanitize and clean kennels, runs, equipment, and utensils.
- 5) Provide hand washing facilities.
- b) All buildings shall be constructed so as to provide adequate shelter for the comfort of the animals and shall provide adequate facilities for separation of diseased animals to avoid exposure to healthy and salable animals.
- c) Floors of buildings housing or displaying animals shall be of permanent construction to enable thorough cleaning and sanitizing. Dirt and unfinished wood floors are unacceptable. Cleaning shall be performed daily, or more often if necessary, to prevent any accumulation of debris, dirt or waste.

d) Cages shall be constructed of a material that is impervious to urine and water and able to withstand damage from gnawing and chewing.

- 1) The cages must be cleaned and sanitized at least once daily, or more often if necessary.
- 2) All empty cages shall be kept clean at all times.
- 3) Cages shall be of sufficient size to allow the animal to comfortably stand, sit, or lie, and offer freedom of movement.
- 4) An ambient temperature as defined in the rules for the Federal Animal Welfare Act (9 CFR 3.2; 1989a) shall be maintained for warmblooded animals. In the case of coldblooded animals, the temperature that is compatible to the well-being of the species shall be maintained.

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- e) Runs shall be constructed of material of sufficient strength and design to confine the animal(s).
  - 1) They shall be kept in good repair and condition.
  - 2) For new construction or remodeling, the licensee shall provide runs surfaced with concrete or other impervious material.
  - 3) Surface of the run shall be designed to permit the surface to be cleaned and kept free from excessive accumulation of animal waste.
  - 4) Provisions must be made for adequate drainage.
- f) Cages or aquariums for housing of small animals, birds, or fish shall provide space not less than 2 1/2 times the body volume of living creatures contained therein.
- g) If animals are group-housed, they shall be maintained in compatible groups without overcrowding. No female dog or cat in estrus shall be placed in a pen with male animals, except for breeding purposes.

(Source: amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 25.30 General Care of Animals

- a) All persons or establishments licensed under this Act shall comply with all sections of the Humane Care for Animals Act (~~Ill. Rev. Stat. 1987, ch. 8, par. 701 et seq.~~) [510 ILCS 701].
- b) Sufficient clean water and fresh food shall be offered to each animal daily as prescribed in the rules for the Federal Animal Welfare Act (9 CFR 3.5-3.7; 1989a). In the case of young animals, they shall be fed more than once daily. Reptiles, fish or amphibians shall be fed and cared for in accordance with the eating patterns and environmental conditions compatible with each individual species.
- c) The licensee or his representative shall be present for general care and maintenance of the animals at least once daily.
- d) Aquariums containing fish shall be kept in a clean healthful condition. Live algae shall not be considered

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an unhealthful condition. Any dead fish shall be removed from aquariums daily.

- e) Adult cats shall be provided with litter pans at all times. The pans shall be cleaned and sanitized at least once daily or more often if necessary.

(Source: amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

**Section 25.50 Shipment of Mammals and Birds**

- a) Animals shall be transported in crates constructed of a smooth, durable material which is easily cleaned and shall:

- 1) Have a solid floor which may have a false bottom above it.
- 2) Be so constructed as prescribed in the rules for the Federal Animal Welfare Act (9 CFR 3.11 - 3.17; 198894) as to provide maximum safety for the particular animal or animals being transported.

- 3) Have openings on 2 sides and the top to assure adequate ventilation.

- b) In all cases, the crates shall be large enough to provide space for the animals to lie down in an extended position and to allow ease of movement when standing or turning around as prescribed in the rules for the Federal Animal Welfare Act (9 CFR 3.11 - 3.17; 198894). When the temperature is over 85° F., increased space shall be provided within reason.

- c) The crates shall be cleaned before use for each trip.

- d) Food and water containers shall be cleaned and sanitized before each trip.

- e) If bedding is used it shall be clean, dry, and relatively dust-free.

- f) Animals in transit for 4 or more hours shall be offered food 2 hours before loading and fresh water about 30 minutes before loading.

- g) The person or persons responsible for the welfare of the animal or animals while in transit shall:

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- 1) Offer the animals food at least once each 24 hours, except that newly weaned young shall be offered suitable food at 4-hour intervals.
- 2) Offer all animals water at 12-hour intervals at least, except that water shall be offered at 4-hour intervals when the temperature reaches 90° F.
- 3) Clean the crate or crates at least every 24 hours and, if bedding is used, shall provide clean bedding.
- 4) Inspect each animal at 4-hour intervals, or oftener.
- h) No female obviously near parturition shall be transported.
- i) Trucks transporting animals shall provide protection from the sun in hot weather, and protection from cold weather. Adequate ventilation shall be provided in hot weather, and the trucks shall be draft-free in cold weather. Provisions shall be made for warming an area carrying weaned young if the temperature falls below 50° F., and for unweaned young if the temperature falls below 65° F.

(Source: amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

**Section 25.80 Quarantine**

- a) ~~The Superintendent of the Division of Animal Industries~~ Director of the Illinois Department of Agriculture may order a quarantine as prescribed in the Illinois Diseased Animals Act (Ill. Rev. Stat. 1987, ch. 8, par. 168 et seq.) [510 ILCS 50] and 8 Ill. Adm. Code 85 placed on the entire premises of the licensee, on a specific species of animals, or on a specific group of animals for any one of the following:

- 1) Excessive parasitism.

- 2) General malnutrition.

- 3) Presence of contagious disease on premises.

- b) This quarantine may be placed after consultation with licensee or his duly authorized representative concerning the nature, frequency, and extent of the disease or diseases involved.

- c) Conditions not specified above may be cause for quarantine



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at the discretion of the Superintendent of the Division of Animal Industries Director of the Illinois Department of Agriculture.

(Source: amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

### Section 25.110 Animals Prohibited from Sale

a) Licensees shall not offer skunks for sale as pets as prescribed in Section 3.25 of the Wildlife Code (~~Ill. Rev. Stat. 1987, ch. 61, par. 3-25~~) [520 ILCS 5/3.25].

b) Licensees shall not offer for sale those animals the ownership of which would constitute a violation of Section 1 of the Illinois Dangerous Animals Act (~~Ill. Rev. Stat. 1987, ch. 8, par. 241~~) [720 ILCS 585/1]. These include the following animals: lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, Canada lynx, bobcat, jaguarundi, hyena, bear, wolf or coyote, or any poisonous or life-threatening reptile. A life-threatening reptile is any member of the crocodilian family or any constricting snake six feet or over in length, such as boa, python, and anaconda.

c) Licensees shall not possess or offer for sale turtle or viable turtle eggs which would constitute a violation of Section 264 of the Public Health Service Act (42 U.S.C.A. 264; 198794), the rules for that Act (21 CFR 1240.62; 198794) and Section 3372 of the Lacey Act (16 U.S.C.A. 3372; 198794).

(Source: amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

### Section 25.120 Boarding and Training

Persons licensed as kennel operators shall comply with the following rules in addition to 8 Ill. Adm. Code 25.10 through 25.110:

a) Records shall be maintained for a period of twelve (12) months after the boarding or training is completed. The record shall state the owner's name, address, and telephone number; expected duration of the stay; service to be provided, and owner's agent for emergency contacts.

b) No dog or cat shall be accepted for boarding or training unless it has been vaccinated for distemper and proof of such vaccination has been furnished to the kennel

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operator. (Exemption to distemper vaccination requirement is available upon written recommendation from owner's veterinarian.) Any dog accepted must be in compliance with the rabies vaccination requirements of the Illinois Animal Control Act (~~Ill. Rev. Stat. 1987, ch. 8, par. 351 et seq.~~) [510 ILCS 5].

c) Any animal that appears to be ill shall be promptly examined by a veterinarian of the owner's choice, if known, or by the veterinarian employed by the licensee, and a record kept of the examination and treatment.

d) In the event an animal dies while being boarded or while in training, the body shall be handled in one of the following ways:

1) The body preserved by refrigeration or freezing until examined or returned to the owner. The body is to be held for at least one week after the time the owners are scheduled to return, after which time the body may be disposed of in compliance with ~~"AN ACT in relation to the disposal of dead animals"~~ the Illinois Dead Animal Disposal Act (~~Ill. Rev. Stat. 1987, ch. 8, par. 149 et seq.~~) [225 ILCS 610] or

2) Bodies are to be submitted to a licensed veterinarian and a necropsy performed at the kennel operator's expense, unless prior agreement for payment of such services by the owner is made. A copy of the necropsy report is to be given to the owner.

e) Animals shall not be group-housed at any time, unless they are owned by the same person and are compatible.

f) If the owners of animals do not appear or contact the kennel operator within thirty (30) days of their stated return time, the kennel operator has the right to dispose of the animal.

(Source: amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

### Section 25.130 Pounds and Animal Shelters

Persons licensed to operate Pounds and Animal Shelters shall comply with the following rules in addition to the other rules already prescribed.

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- a) Licensee shall make a record of each animal received, including the date it was received, the source, and the eventual disposition.
- b) Approved equipment as described in the Journal of the American Veterinary Medical Association, 930 North Meacham Road, Schaumburg, Illinois 60196 (~~February 1, 1986~~ January 15, 1993) shall be used for euthanasia.
- c) Licensee shall accept any animal for which the person wishing to dispose of the animal is willing to sign an affidavit of ownership giving his name, address, telephone number, reasons for wishing to dispose of the animal, and description of the animal, including distinguishing marks and pertinent medical information, if any.
- d) Any animal presented to a pound or shelter in an injured, diseased, or ill condition shall be examined by and, if feasible, treated by a licensed veterinarian. If the veterinarian deems that, for humane reasons, the animal should be euthanized, his recommendations for euthanasia shall be followed.
- e) Licensee operating a pound for a municipality or other political subdivision shall, in a conspicuous place at the establishment, post the hours the facility will be open with an attendant on duty to release estrayed pets back to their owner. Any expense incurred during the period of impoundment shall be paid by the owner prior to release of the impounded animal.

(Source: amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

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- 1) Heading of Part: Horsemeat
- 2) Code Citation: 8 Ill. Adm. Code 70
- 3) Section Numbers: Proposed Action:  
70.80 Amendment  
70.130 Amendment
- 4) Statutory Authority: Horse Meat Act [225 ILCS 635]
- 5) A Complete Description of the Subjects and Issues Involved:  
Citations to the Illinois Revised Statutes have been deleted, and citations to the Illinois Compiled Statutes have been added. The Department is proposing to adopt the most current printed version of 9 CFR 312.3 of the Code of Federal Regulations in Section 70.80.
- 6) Will this proposed rule replace an emergency rule in effect?: No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? Yes
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: Rule does not affect units of local governments.
- 11) Time, Place and Manner in which interested persons can comment on this proposed rulemaking: A public hearing on the proposed amendments will be held on August 4, 1994, at 10:00 a.m., Department of Agriculture, State Fairgrounds, Springfield, Illinois. Persons unable to attend the hearing may present their comments on the proposed rulemaking in writing to the Director, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9281. Mailed comments must be postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.
- 12) Initial Regulatory Flexibility Analysis:  
  
The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.



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- A) Types of small businesses affected: None  
 B) Reporting, bookkeeping or other procedures required for compliance: None  
 D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

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 CHAPTER I: DEPARTMENT OF AGRICULTURE  
 SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS (EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 70  
 HORSEMEAT

Section	
70.10	Enforcement
70.20	Consent Statement
70.30	Types of License
70.40	Breeders and Raisers of Fur-Bearing Animals
70.50	Processor's License
70.60	Retail Sale (Repealed)
70.70	Interstate Sale
70.80	Identification by Roller Stamp
70.90	Denaturing
70.100	Chilling
70.110	Marking Vehicles Used in Distribution
70.120	Special Permits (Repealed)
70.130	Sanitary Requirements
70.140	Records and Inventory
70.150	Samples
70.160	Transportation and Transactions

**AUTHORITY:** Implementing and authorized by "AN ACT in relation to the slaughtering and butchering of animals of the equine family, and the sale and distribution of the meat therefrom" (~~Ill. Rev. Stat. 1981, ch. 56-1/2, par. 240 et seq.~~) [225 ILCS 635].

**SOURCE:** Rules and Regulations Relating to the Slaughtering and Butchering of Equine Animals and the Sale and Distribution of the Meat Therefrom, filed April 27, 1970, effective May 7, 1970; codified at 5 Ill. Reg. 10451; amended at 7 Ill. Reg. 859, effective January 10, 1983; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 70.80 Identification by Roller Stamp**

When an animal is slaughtered the entire carcass must be identified as HORSE MEAT, immediately after the hide has been removed, by means of a roller stamp using green ink. It shall be stamped so that no surface of 6 square inches or more of the carcass shall be without the stamp HORSE MEAT to identify it as such. This rule does not apply to a breeder or raiser of fur-bearing animals who may hand stamp the carcasses. This rule does not apply to whole, half, or quarter carcasses of horse meat slaughtered in a federally inspected plant under supervision of the U.S. Department of

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Agriculture (U.S.D.A) and stamped by the U. S. D. A. in accord with the Federal regulations (9 CFR 312.3+10/3/70 1994).

(Source: amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 70.130 Sanitary Requirements

The premises on which animals are slaughtered, processed or wholesaled must be constructed and maintained in conformity with requirements of the Illinois Sanitary Inspection Act (Ill. Rev. Stat., 1981, ch. 56 1/2, pars. 67-71) [410 ILCS 650/1.1-51]:

- a) Floors shall be constructed of concrete, be smooth and sloped to drain. The junction of floors and walls should be curbed. Corners shall be rounded to avoid angles which collect and hold dirt and grease. A space may be curbed in the floor for bleeding purposes if desired.
- b) Sidewalls and ceilings shall be smooth and watertight. If constructed of wood, use smooth-dressed matched lumber and paint with a light-colored washable paint.
- c) All doors and windows shall be effectively screened.
- d) One or two catch basins should be installed to catch solids and grease before waste water reaches cesspool or natural drainage. Catch basins should be kept covered except when being cleaned, unless public sewerage is available.
- e) Rails should be installed, so that the rails are 11 feet from floor.
- f) All tables and bench tops should be tight fitting and of hardwood or metal frame with wood inserts which can be easily cleaned.
- g) All meat when stored or transported must be protected from contamination and kept at a temperature sufficient to prevent spoilage or decomposition.
- h) All offal shall be kept in cooler until removed by the scavenger. Offal containers shall be cleaned with hot water or steam daily when in use, and sprayed with a disinfectant if kept outside.
- i) All drums, buckets, and cans used in establishment for

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handling or delivery purposes shall be of metal, and the words HORSE MEAT in letters of two inches in height shall be stenciled in white on two sides of container.

- j) Outside premises should be graded to provide proper drainage and grounds kept clean and free of refuse. Stock pens should have concrete floors and be kept clean.

(Source: amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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- 1) Heading of Part: Humane Care for Animals Act
- 2) Code Citation: 8 Ill. Adm. Code 35
- 3) Section Numbers: Proposed Action:  
35.30 Amendment
- 4) Statutory Authority: Humane Care for Animals Act  
[510 ILCS 70]
- 5) A Complete Description of the Subjects and Issues Involved:  
Citations to the Illinois Revised Statutes have been deleted, and citations to the Illinois Compiled Statutes have been added.
- 6) Will this proposed rule replace an emergency rule in effect?: No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: Rule does not affect units of local governments.
- 11) Time, Place and Manner in which interested persons can comment on this proposed rulemaking: A public hearing on the proposed amendments will be held on August 4, 1994, at 10:00 a.m., Department of Agriculture, State Fairgrounds, Springfield, Illinois. Persons unable to attend the hearing may present their comments on the proposed rulemaking in writing to the Director, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9281. Mailed comments must be postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.

The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: None
- B) Reporting, bookkeeping or other procedures required for

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- D) Types of professional skills necessary for compliance:  
Compliance: None  
None

The full text of the Proposed Amendments begins on the next page:

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PART 35  
 HUMANE CARE FOR ANIMALS ACT

## Section

35.10 Approved Humane Investigator; Qualifications;

Requirements; Termination; Reports;

Appointment Period

35.20 Notice of Violation; Impoundment Procedure (Repealed)

35.30 Administrative Hearings

AUTHORITY: Implementing and authorized by the Humane Care for Animals Act (~~Ill. Rev. Stat. 1983, ch. 8, par. 701 et seq.~~) 510 ILCS 701.

SOURCE: Rules and Regulations relating to Humane Care for Animals, filed December 14, 1973, effective December 24, 1973; codified at 5 Ill. Reg. 10441; amended at 7 Ill. Reg. 865, effective January 10, 1983; amended at 8 Ill. Reg. 5936, effective April 23, 1984; amended at 9 Ill. Reg. 4498, effective March 22, 1985; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 35.30 Administrative Hearings

All decisions and actions of the Department are subject to the Illinois Administrative Procedure Act (~~Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.~~) 15 ILCS 1001 and the Department's Administrative Rules (8 Ill. Adm. Code 1) which pertain to administrative hearings, petitions, contested cases, declaratory rulings and availability of Department files for public access. Administrative hearings are governed by the Illinois Administrative Procedure Act and Subpart B of the Department's Administrative Rules, except that, in the case of impoundment, a petition for reconsideration or stay must be filed with the Director within 48 hours from the date the decision is rendered by the hearing officer. The final administrative decision (see 8 Ill. Adm. Code 1.75(k) and 1.340) shall be subject to Section 14 of the Humane Care for Animals Act.

(Source: amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- 1) Heading of Part: Humane Slaughtering of Livestock
- 2) Code Citation: 8 Ill. Adm. Code 50
- 3) Section Numbers: Proposed Action:  
50.10 Amendment  
50.20 Amendment
- 4) Statutory Authority: Humane Slaughtering of Livestock Act [510 ILCS 75]
- 5) A Complete Description of the Subjects and Issues Involved:  
The Department is proposing to adopt amendments similar to federal regulations (59 FR 21638, April 26, 1994) which will permit swine to be humanely slaughtered in official meat-packing establishments through the administration of carbon dioxide.
- 6) Will this proposed rule replace an emergency rule in effect?: No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? Yes
- 9) Are there any other amendments pending on this part? No
- 10) Statement of Statewide Policy Objectives: Rule does not affect units of local governments.
- 11) Time, Place and Manner in which interested persons can comment on this proposed rulemaking:  
A public hearing on the proposed amendments will be held on August 4, 1994, at 10:00 a.m., Department of Agriculture, State Fairgrounds, Springfield, Illinois. Persons unable to attend the hearing may present their comments on the proposed rulemaking in writing to the Director, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9281. Mailed comments must be postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.  
  
The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.



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- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses affected: meat packing establishments.
  - B) Reporting, bookkeeping or other procedures required for compliance: The use of carbon dioxide slaughtering methods is voluntary.
  - D) Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendments begins on the next page:

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PART 50  
 HUMANE SLAUGHTER OF LIVESTOCK

## Section

## 50.10 Definitions

- 50.20 Slaughter Methods; Chemical; Carbon Dioxide
- 50.30 Slaughter Methods; Mechanical; Captive Bolt
- 50.40 Slaughter Methods; Mechanical; Gunshot
- 50.50 Slaughter Methods; Electrical

**AUTHORITY:** Implementing and authorized by "AN ACT to define and require the use of humane methods in the handling, preparation for slaughter, and slaughter of livestock for meat or meat products to be offered for sale" (~~Ill. Rev. Stat. 1983, ch. 8, par. 229-51 et seq.~~) [510 ILCS 75]. For referencing similar Federal regulations see 9 CFR 313 (198590) ~~+ 50 FR 25199 (1985)~~.

**SOURCE:** Rules and Regulations of the Humane Slaughter of Livestock Act, filed November 17, 1970, effective November 27, 1970; codified at 5 Ill. Reg. 10445; amended at 7 Ill. Reg. 1756, effective February 2, 1983; amended at 9 Ill. Reg. 18427, effective November 19, 1985; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 50.10 Definitions

Words in the singular form shall be deemed to include the plural, words in the masculine form shall be deemed to include the feminine form, and vice versa, as the case may require. Terms defined for the purpose of the Act:

"Act". Means "AN ACT to define and require the use of humane methods in the handling, preparation for slaughter, and slaughter of livestock for meat or meat products to be offered for sale" (~~Ill. Rev. Stat. 1981, ch. 9, par. 229-51 et seq.~~) [510 ILCS 75].

"Anesthesia". Loss of sensation of feeling.

"Captive bolt". A stunning instrument which when activated drives a bolt out of a barrel for a limited distance.

"Carbon dioxide". A gaseous form of the chemical formula

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CO<sub>2</sub>.

"Carbon dioxide concentration". Ratio of carbon dioxide gas and atmospheric air.

"Consciousness". Responsiveness of the brain to the impressions made by the senses.

"Department". The Illinois Department of Agriculture.

"Exposure time". The period of time an animal is exposed to an anesthesia-producing carbon dioxide concentration.

"Inspectors". Any officer or employee of the Department authorized to perform any duties under the Act or these rules.

"Surgical anesthesia". A state of unconsciousness in which the subject exhibits no sense of pain but maintains sensory reflexes essential to life.

(Source: Amended at 18 Ill. Reg. \_\_\_, effective \_\_\_\_\_)

# Section 50.20 Slaughter Methods; Chemical; Carbon Dioxide

a) The slaughtering of sheep, calves and swine with the use of carbon dioxide gas and the handling in connection therewith, in compliance with the provisions contained in these rules, are hereby designated and approved as humane methods of slaughtering and handling of such animals under the Act.

b) Administration of gas; required effective; handling:

1) The carbon dioxide gas shall be administered in a chamber in accordance with these rules so as to produce surgical anesthesia in the animals before they are shackled, hoisted, thrown, cast, or cut. The animals shall be exposed to the carbon dioxide gas in a way that will accomplish the anesthesia quickly and calmly, with a minimum of excitement and discomfort to the animals. In swine, carbon dioxide may be administered to induce death in the animals before they are shackled, hoisted, thrown, cast, or cut.

2) The driving or conveying of the animals to the carbon dioxide chamber shall be done with a minimum of

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excitement and discomfort to the animals. Delivery of calm animals to the anesthesia chamber is essential since the induction, or early phase, of anesthesia is less violent with docile animals. Among other things this requires that, in driving animals to the anesthesia chamber, electrical equipment be used as little as possible and with the lowest effective voltage.

3) On ~~emergence~~ emerging from the carbon dioxide chamber tunnel, the animals shall be in a state of surgical anesthesia and shall remain in this condition throughout shackling, sticking and bleeding, except for swine in which death has been induced by the administration of carbon dioxide. The provisions of 8 Ill. Adm. Code 143.190125.190 and 149.50125.210 and 9 CFR 311.30 (10/3/701990) shall apply. Asphyxia or death from any cause shall not be produced in the animals before bleeding, except for swine in which death has been induced by the administration of carbon dioxide.

c) Facilities and procedures:

1) General requirements for gas chambers and auxiliary equipment; operator: The carbon dioxide gas shall be administered in a chamber which accomplishes effective exposure of the animal. Two types of tunnels, based on the same principle, are in common use for carbon dioxide anesthesia. They are the "U" type tunnel and the "Straight Line" type tunnel, and are based on the principle that carbon dioxide gas has a higher specific gravity than air. The tunnels are open at both ends for entry and exit of animals and have a depressed central section. Anesthetizing, or, in the case of swine, death-inducing, carbon dioxide concentrations are maintained in the central sections of the tunnels. Effective anesthetization is produced in these central sections. Animals are driven from holding pens through pathways constructed of large-diameter pipe or smooth metal and onto continuous conveyor devices that move the animals through the tunnels. The animals are either compartmentalized on the conveyors by mechanical impellers synchronized with the conveyor or they are otherwise prevented from crowding. While impellers are used to compartmentalize the animals, mechanically or manually operated gates are used to move the animals onto the



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conveyors. Surgically anesthetized animals, or killed swine, are moved out of the tunnels by the same continuous conveyors that moved them into and through the carbon dioxide gas.

- 2) Special requirements for gas chamber and auxiliary equipment: The ability of anesthetizing equipment to perform with maximum efficiency is dependent on its proper design and efficient mechanical operation. Pathways, compartments, gas chambers, and all other equipment used must be designed to accommodate properly the species of animals being anesthetized. They shall be free from pain-producing restraining devices. Injury of animals must be prevented by the elimination of sharp projections or exposed wheels or gears. There shall be no unnecessary holes, spaces or openings where feet or legs of animals may be injured. Impellers or other devices designed to mechanically move or drive animals or otherwise keep them in motion or compartmentalized shall be constructed of flexible or well padded rigid material. Power activated gates designed for constant flow of animals to anesthetizing equipment shall be so fabricated that they will not cause injury. All equipment involved in anesthetizing animals shall be maintained in good repair.

- 3) Gas: Maintenance of a uniform carbon dioxide concentration and distribution in the anesthesia chamber is a vital aspect of producing surgical anesthesia. This may be assured by reasonably accurate instruments which sample and analyze carbon dioxide gas concentration within the chamber throughout anesthetizing operations. Gas concentration shall be maintained uniform so that the degree of anesthesia in exposed animals will be constant. Carbon dioxide gas supplied to anesthesia chambers will be from controlled reduction of solid carbon dioxide or from a controlled liquid source. In either case the carbon dioxide shall be supplied at a rate sufficient to anesthetize adequately and uniformly the number of animals passing through the chamber. Sampling of gas for analysis shall be made from a representative place or places within the chamber and on a continuing basis. Gas concentrations and exposure time shall be graphically recorded throughout each day's operation. Neither carbon dioxide nor atmospheric air used in the anesthesia chambers shall contain noxious or irritating gases.

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Each day before equipment is used for anesthetizing animals, proper care shall be taken to mix adequately the gas and air within the chamber. All gas producing and control equipment shall be maintained in good repair and all indicators, instruments, and measuring devices must be available for inspection by Division inspectors during anesthetizing operations and at other times. An suitable exhaust system must be provided to ~~eliminate possible overexposures due to mechanical or other failure of equipment so that, in case of equipment failure, non-uniform carbon dioxide concentrations in the gas tunnel or contamination of the ambient air of the establishment will be prevented.~~

(Source: Amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

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- 1) Heading of Part: Illinois Dead Animal Disposal Act
- 2) Code Citation: 8 Ill. Adm. Code 90
- 3) Section Numbers: Proposed Action:  
90.10 Amendment  
90.110 Amendment  
90.120 Amendment
- 4) Statutory Authority: Illinois Dead Animal Disposal Act [225 ILCS 610 as amended by P.A. 88-133, effective January 1, 1994].
- 5) A Complete Description of the Subjects and Issues Involved: Citations to the Illinois Revised Statutes have been deleted, and citations to the Illinois Compiled Statutes have been added.  
  
Representatives from the Illinois Agricultural Association, the Illinois Beef Association, the Illinois Lamb and Wool Association, the Illinois Milk Producers Association, the Illinois Pork Producers Association, and the Illinois Environmental Protection Agency, and the Illinois Department of Agriculture have worked cooperatively to propose amending Section 90.110 regarding the disposal of dead animals by burial. These amendments are proposing regulations regarding on-the-farm disposal of dead animals to comply with changes in the statute as amended by P.A. 88-133, effective January 1, 1994.

In Section 90.120, the official disinfection list no longer exists and has been incorporated into the Code of Federal Regulations which the Department is proposing to adopt by reference.

- 6) Will this proposed rule replace an emergency rule in effect?: No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? Yes
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: Rule does not affect units of local governments.
- 11) Time, Place and Manner in which interested persons can

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comment on this proposed rulemaking: A public hearing on the proposed amendments will be held on August 4, 1994, at 10:00 a.m., Department of Agriculture, State Fairgrounds, Springfield, Illinois. Persons unable to attend the hearing may present their comments on the proposed rulemaking in writing to the Director, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9281. Mailed comments must be postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.

The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:



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PART 90  
 ILLINOIS DEAD ANIMAL DISPOSAL ACT

Section	
90.5	Definitions
90.10	Plant Facilities
90.20	Plant Premises
90.30	Annual Truck Permits (Repealed)
90.40	Truck Operator's Records (Repealed)
90.50	Odors and Insects Shall Be Controlled
90.60	Salmonella Control For Renderers and Blenders
90.70	Inspection of Premise (Repealed)
90.80	Identification of Receiptacles
90.90	Records (Repealed)
90.100	Transportation and Transactions (Repealed)
90.110	On-The-Farm Disposal
90.120	Collection Center
90.130	Disposal By Collection Center of Unusable Materials

AUTHORITY: Implementing and authorized by the Illinois Dead Animal Disposal Act (~~Ill. Rev. Stat., 1991, ch. 8, par. 149-1 et seq.~~) [225 ILCS 610 as amended by P.A. 88-133, effective January 1, 1994].

SOURCE: Regulations Relating to the Disposal of Dead Animals, filed January 17, 1972, effective January 27, 1972; filed December 6, 1972, effective December 16, 1972; codified at 5 Ill. Reg. 10458; amended at 7 Ill. Reg. 852, effective January 10, 1983; amended at 8 Ill. Reg. 5937, effective April 23, 1984; amended at 13 Ill. Reg. 3681, effective March 13, 1989; amended at 16 Ill. Reg. 11773, effective July 8, 1992; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 90.10 Plant Facilities

If, upon first inspection, the facility of the renderer, blender or collection center fails to meet the requirements set forth in Section 10 of the Illinois Dead Animal Disposal Act (~~Ill. Rev. Stat., 1987, ch. 8, par. 158~~) [225 ILCS 610/10] and the rules of this Part, the applicant shall be granted sixty (60) days in which to correct the deficiencies specified. At the end of the period for correcting the deficiencies, another inspection shall be made. If upon inspection the deficiencies have been corrected, a license shall be issued.

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(Source: amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 90.110 On-The-Farm Disposal

Persons disposing of animals, poultry, fish, or parts of bodies thereof, other than to a licensed renderer, shall comply with the following:

## a) Disposal by Burning

- 1) No open burning will be permitted.
- 2) Any disposal by burning must be performed with an incinerator that is in compliance with the Illinois Environmental Protection Act (~~Ill. Rev. Stat., 1991, ch. 111-1/2, par. 1001 et seq.~~) [415 ILCS 5].

## b) Disposal by Burying

- 1) Burial shall be on the premises owned or operated by the owner of the dead animal.

A) Location shall be in an area where runoff will not contaminate water supplies or allow leachate to discharge into streams, ponds or lakes.

- i) Dead animals shall not be buried less than 200 feet from a stream, private potable water supply well, or any other potable water supply source, except in accordance with Section 14.2(b) of the Illinois Environmental Protection Act.

- ii) Dead Animals shall not be buried within the applicable 200 or 400 foot minimum setback zone of an existing community water supply well as established pursuant to Section 14.2 of the Illinois Environmental Protection Act.

B) Dead animals shall not be buried less than 200 feet from any existing residence not owned or occupied by the owner of the animal.

C) No more than a ratio of one pound of dead animals per one square foot of surface area shall be buried on an annual basis. No more than 3,000 pounds of dead animals shall be buried in each

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site location, and the same site shall not be used more frequently than once every two years for burial purposes. There shall be no more than three (3) site locations within a radius of 120 feet.

2) Burial depth shall be sufficient to allow provide at least a six-inch compacted soil cover over the uppermost part of the carcass. Precautions shall be taken to minimize soil erosion.

3) The abdominal cavity of large carcasses shall be punctured to allow escape of putrefactive gasses.

4) Lime or other chemical agent shall not be used to prevent decomposition.

5) Precautions shall be taken at the site of burial necessary to prevent any disturbance by animal or mechanical means.

6) Disease and nuisance vectors are to be minimized and controlled. If a disposal pit is employed for daily ex-routine depositories, there shall be a minimum six-inch compacted soil cover after each deposition.

7) Final cover or settling shall be limited to a 5% or less slope differential from the normal gradient of its general surroundings. Any disposal by burial shall also be in compliance with the Illinois Environmental Protection Act, persons should contact the Illinois Environmental Protection Agency for sites to the requirements.

8) Burial site locations shall be available for inspection by Department personnel during normal working hours.

c) Disposal of poultry by composting. Persons disposing of poultry by means of composting shall comply with the following requirements:

1) The compost shall meet the following criteria:

A) A roof shall cover the entire composting area.

B) An impervious, weight-bearing foundation such as concrete shall be used.

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C) Rot-resistant building materials such as preservative-treated lumber shall be used.

D) The compost shall consist of primary and secondary bins.

E) The size of the compost shall be based on the farm's projected mortality rate of poultry, in which one pound of dead poultry per cubic foot of primary compost space per day is provided.

2) Composting shall comply with the following guidelines:

A) A mixture of one part dead poultry (by weight), one and one-half part poultry litter, and one-tenth part of straw shall be used. For example: 400 pounds of dead poultry will require 600 pounds of poultry litter and 40 pounds of straw.

B) Layering shall be done in the following order, starting from the floor: (First layer) Straw, poultry litter, straw, birds, and poultry litter. Second and subsequent layers: straw, birds, and poultry litter.

C) A 36-inch probe-type thermometer shall be inserted daily into the pile to check the temperature. Within two to four days, the temperature should peak between 135° F. and 150° F.

D) Once the temperature begins to fall from the peak (normally 7 to 10 days), the material shall be removed to the secondary treatment bin.

E) After 7 to 10 days in the secondary bin, the compost may be agronomically distributed over land under cultivation or reused in the composting process. For the purpose of this subsection, the agronomic rate is the annual application rate of poultry compost, either alone or in combination with other nutrient supplying materials, that is necessary to achieve a reasonable crop yield without exceeding crop nutrient requirements.

3) The composted material may be substituted for up to one-half of the poultry litter and one-half of the



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straw.

d) Disposal of fish by composting. Persons disposing of fish by means of composting shall comply with the following requirements:

- 1) The composter shall meet the following criteria:
  - A) A roof shall cover the entire composting area.
  - B) An impervious, weight-bearing foundation such as concrete shall be used.
  - C) Rot-resistant building materials such as preservative-treated lumber shall be used.
- 2) The base layer shall meet the following criteria:
  - A) Use 6 to 12 inches thick of a bulking agent.
  - B) Be no more than 6 to 8 feet wide, but as long as necessary to accommodate the day's supply of compost material.

3) Composting shall meet the following guidelines:

- A) Composting layer shall consist of a mixture of one part fish, three parts bulking agent and one part recycled compost (if available) or bulking agent and shall be mixed prior to use in the composting layer. The mixing of the materials for the composting layer shall be done in a manner to prevent leakage (e.g., stock tank, bucket, mixing drum).
- B) The cover layer shall consist of two parts bulking agent and two parts recycled compost (if available) or two parts bulking agent and should reach a thickness of 6 to 12 inches.
- C) Layering shall be done in the following order starting from the concrete: base layer, composting layer (fish, bulking agent and recycled compost), and cover layer. The composting and cover layers are piled on top of the base layer to form a trapezoid no higher than 4 feet.

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- D) Additions to the compost pile are done by adding new material to the end of the pile.
- E) A probe-type thermometer shall be inserted daily into the pile to check the temperature. The temperature should peak between 140° F. and 165° F. The material can be recycled after it has composted for at least 2 to 3 weeks, and its temperature has dropped to air temperature.

F) After the temperature has dropped to air temperature (normally 2 to 3 weeks), the composted material may be used in the composting layer, or after one month, the composted material may be agronomically distributed over land under cultivation or reused in the cover layer. For the purpose of this subsection, the agronomic rate is the annual application rate of fish compost, either alone or in combination with other nutrient supplying materials, that is necessary to achieve a reasonable crop yield without exceeding crop nutrient requirements.

(Source: amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 90.120 Collection Center

A collection center shall comply with the following requirements:

- a) The location of a collection center shall be in compliance with local zoning ordinances before the Department will issue a license.
- b) The collection center shall be covered by a metal roof or other permanent type structure. The building shall be equipped with louver-type ventilators which are so screened as to prevent rodents and other animals, birds, flies, and insects from entering.
- c) Hot water or steam shall be provided to thoroughly clean the collection center premises.
- d) The collection center equipment and premises shall be disinfected with a product approved by ~~on the~~ Cresyline ~~Disinfectants Permitted for Official Use in Official Disinfection List (1976) published by the Animal and Plant Health Inspection Service of the United States Department~~

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of Agriculture (9 CFR 71.10 (1994)).

(Source: amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Meat and Poultry Inspection Act
- 2) Code Citation: 8 Ill. Adm. Code 125
- 3) Section Numbers: Proposed Action:  
125.110 Amendment
- 4) Statutory Authority: The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 301 et seq.) [225 ILCS 650].
- 5) A Complete Description of the Subjects and Issues Involved:  
In order to maintain an "equal to" status with the federal meat and poultry inspection programs as required by the Federal Meat Inspection Act, the Federal Poultry Inspection Act, and in compliance with Section 16 of the Meat and Poultry Inspection Act, the Department is proposing to adopt changes in the federal rules relative to meat and poultry inspection.  
  
The Department is proposing to adopt amendments to 9 CFR Parts 303 and 381 of the Food Safety and Inspection Service regulations which exempts from federal inspection the preparation of pizzas topped with inspected and passed, cooked, or cured, ready-to-eat meat food or poultry product under certain terms and conditions. The rule also clarifies that such products containing poultry products are subject to the adulteration and misbranding provisions of the Poultry Products Inspection Act. The federal meat inspection regulations already specify that any articles produced at businesses or operations that are exempted from federal inspection must comply with the adulteration and misbranding provisions of the Federal Meat Inspection Act. For complete information regarding these amendments, refer to the Federal Register, Volume 57, No. 149, August 3, 1992, page 34174.
- 6) Will this proposed rule replace an emergency rule in effect?: No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? Yes
- 9) Are there any other amendments pending on this Part? Yes, proposed amendments to Sections 125.100, 125.260 and 125.380 (published in 18 Ill. Reg. 3809, 3/18/94) are pending.



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- 10) Statement of Statewide Policy Objectives: Rule does not affect units of local governments.
- 11) Time, Place and Manner in which interested persons can comment on this proposed rulemaking:  
A 45-day written comment period will be granted for receiving comments from the public. This comment period will begin on the day the notice of rulemaking appears in the Illinois Register. Comments should be sent to the attention of Debbie Wakefield, Department of Agriculture, State Fairgrounds, P.O. Box 19281, Springfield, Illinois 62794-9281.
- 12) Initial Regulatory Flexibility Analysis:  
A) Types of small businesses affected: school lunch market and the fresh and frozen pizza industry.  
B) Reporting, bookkeeping or other procedures required for compliance: Exempted businesses will be required to comply with certain provisions in regard to the facilities and operations of such businesses. Certain other requirements will also apply to such exempted businesses in order to maintain public health protection. (Refer to 57 FR 34174, August 3, 1992, for complete information.)  
D) Types of professional skills necessary for compliance: Basic management

The full text of the Proposed Amendments begins on the next page:

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## NOTICE OF PROPOSED AMENDMENT(S)

TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER I: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER C: MEAT AND POULTRY INSPECTION ACT

## PART 125

## MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR  
POULTRY INSPECTION

Section	
125.10	Definitions
125.20	Incorporation by Reference of Federal Rules
125.30	Application for License; Approval
125.40	Official Number
125.50	Inspections; Suspension or Revocation of License
125.60	Administrative Hearings; Appeals
125.70	Assignment and Authority of Program Employees
125.80	Schedule of Operations; Overtime
125.90	Official Marks of Inspection, Devices and Certificates
125.100	Records and Reports
125.110	Exemptions
125.120	Disposal of Dead Animals and Poultry
125.130	Reportable Animal and Poultry Diseases
125.140	Detention; Seizure; Condemnation

## SUBPART B: MEAT INSPECTION

Section	Livestock and Meat Products	Entering	Official
125.150	Establishments		
125.160	Equine and Equine Products		
125.170	Facilities for Inspection		
125.180	Sanitation		
125.190	Ante-Mortem Inspection		
125.200	Post-Mortem Inspection		
125.210	Disposal of Diseased or Otherwise Adulterated Carcasses and Parts		
125.220	Humane Slaughter of Animals		
125.230	Handling and Disposal of Condemned or Other Inedible Products at Official Establishment		
125.240	Rendering or Other Disposal of Carcasses and Parts Passed for Cooking		
125.250	Marking Products and Their Containers		
125.260	Labeling, Marking and Containers		
125.270	Entry into Official Establishment; Reinspection and Preparation of Product		
125.280	Meat Definitions and Standards of Identity or Composition		

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125.290 Transportation  
 125.295 Imported Products  
 125.300 Special Services Relating to Meat and Other Products  
 125.305 Exotic Animal Inspection

## SUBPART C: POULTRY INSPECTION

Section  
 125.310 Application of Inspection  
 125.320 Facilities for Inspection  
 125.330 Sanitation  
 125.340 Operating Procedures  
 125.350 Ante-Mortem Inspection  
 125.360 Post-Mortem Inspection; Disposition of Carcasses and Parts  
 125.370 Handling and Disposal of Condemned or Inedible Products at Official Establishments  
 125.380 Labeling and Containers  
 125.390 Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements  
 125.400 Definitions and Standards of Identity or Composition  
 125.410 Transportation; Sale of Poultry or Poultry Products

**AUTHORITY:** Implementing and authorized by the Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 301 et seq.) [225 ILCS 650/16] and The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) [20 ILCS 5/16].

**SOURCE:** Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; peremptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg.

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18203, effective October 15, 1986; peremptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989; peremptory amendment at 13 Ill. Reg. 16838, effective October 11, 1989; peremptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990; peremptory amendment at 14 Ill. Reg. 4953, effective March 23, 1990; peremptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; peremptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; peremptory amendment at 14 Ill. Reg. 16064, effective September 24, 1990; peremptory amendment at 14 Ill. Reg. 21060, effective May 29, 1991; peremptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; peremptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; peremptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; peremptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991; amended at 15 Ill. Reg. 8801, effective June 7, 1991; peremptory amendment at 15 Ill. Reg. 13976, effective September 20, 1991; peremptory amendment at 16 Ill. Reg. 1899, effective March 2, 1992; amended at 16 Ill. Reg. 8349, effective May 26, 1992; peremptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992; peremptory amendment at 16 Ill. Reg. 11963, effective July 22, 1992; peremptory amendment at 16 Ill. Reg. 12234, effective July 24, 1992; peremptory amendment at 16 Ill. Reg. 16337, effective October 19, 1992; peremptory amendment at 16 Ill. Reg. 17165, effective October 21, 1992; peremptory amendment at 17 Ill. Reg. 2063, effective February 12, 1993; peremptory amendment at 17 Ill. Reg. 15725, effective September 7, 1993; peremptory amendment



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at 17 Ill. Reg. 16238, effective September 8, 1993; peremptory amendment at 17 Ill. Reg. 18215, effective October 5, 1993; peremptory amendment at 18 Ill. Reg. 304, effective December 23, 1993; peremptory amendment at 18 Ill. Reg. 2164, effective January 24, 1994; amended at 18 Ill. Reg. 4622, effective March 14, 1994; peremptory amendment at 18 Ill. Reg. 6442, effective April 18, 1994; peremptory amendment at 18 Ill. Reg. 8493, effective May 27, 1994; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 125.110 Exemptions

- a) Meat and/or poultry and meat and/or poultry products exempted from ante-mortem and post-mortem inspection requirements shall be as set forth in Section 5 of the Act. Transportation of meat and/or poultry and meat and/or poultry products which are exempted from ante-mortem and post-mortem inspection shall be in accordance with Section 5 of the Act (i.e., they cannot be transported in commerce). Labeling requirements on such exempted meat and/or poultry and meat and/or poultry products shall be as stated in Section 5 of the Act.

- b) The Department incorporates by reference 9 CFR 303.2 (1990).

- c) The Department incorporates by reference 9 CFR 303.1(e) and 9 CFR 381.10(e) (57 FR 34174, 1992).

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF AGRICULTURE

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- 1) Heading of Part: Refrigerated Warehouses Act
- 2) Code Citation: 8 Ill. Adm. Code 515
- 3) Section Numbers: Proposed Action:  
 515.5 Amendment  
 515.60 Amendment  
 515.110 Amendment  
 515.130 Amendment  
 515.150 Amendment

- 4) Statutory Authority: Illinois Refrigerated Warehouses Act [240 ILCS 35] and the Meat and Poultry Inspection Act [225 ILCS 650]

- 5) A Complete Description of the Subjects and Issues Involved: Citations to the Illinois Revised Statutes have been deleted, and citations to the Illinois Compiled Statutes have been added. Nonsubstantive editorial corrections have been made.

- 6) Will this proposed rule replace an emergency rule in effect?: No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed amendment contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: Rule does not affect units of local governments.

- 11) Time, Place and Manner in which interested persons can comment on this proposed rulemaking: A public hearing on the proposed amendments will be held on August 4, 1994, at 10:00 a.m., Department of Agriculture, State Fairgrounds, Springfield, Illinois. Persons unable to attend the hearing may present their comments on the proposed rulemaking in writing to the Director, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9281. Mailed comments must be postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.

The public hearing on the proposed rulemaking will run

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concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

- 12) Initial Regulatory Flexibility Analysis:  
 A) Types of small businesses affected: None  
 B) Reporting, bookkeeping or other procedures required for compliance: None  
 D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

## DEPARTMENT OF AGRICULTURE

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TITLE 8: AGRICULTURE AND ANIMALS  
 CHAPTER I: DEPARTMENT OF AGRICULTURE  
 SUBCHAPTER 0: WAREHOUSE REGULATIONS

PART 515  
 REFRIGERATED WAREHOUSES ACT

Section	
515.5	Definitions
515.10	Enforcement
515.20	Who is Required to be Licensed
515.30	Articles of Food Covered by the Act
515.40	Application for License
515.50	Renewal of License
515.60	Construction and Equipment Requirements
515.70	Revocation of License (Repealed)
515.80	Identification of Containers
515.90	Lot Numbers
515.100	Violation
515.110	Extension of Storage Period
515.120	Records and Inventory
515.130	Retention, Confiscation, and Destruction
515.140	Transportation and Transactions
515.150	Administrative Hearings

AUTHORITY: Implementing and authorized by the "Illinois Refrigerated Warehouses Act" (~~Ill. Rev. Stat. 1981, ch. 56-1/2, par. 79.1 et seq.~~) [240 ILCS 35]; authorized and implementing the ~~"Meat and Poultry Inspection Act"~~ (~~Ill. Rev. Stat. 1981, ch. 56-1/2, par. 301 et seq.~~) [225 ILCS 650].

SOURCE: Rules and Regulations Relating To Refrigerated Warehouses, filed April 27, 1970, effective May 7, 1970; filed February 9, 1972, effective February 19, 1972; filed August 1, 1974, effective August 12, 1974; codified at 5 Ill. Reg. 10559; amended at 7 Ill. Reg. 1770, effective February 2, 1983; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 515.5 Definitions

- a) As used in these rules the following terms shall have the meanings specified:

"Act" means the Illinois Refrigerated Warehouses Act (~~Ill. Rev. Stat. 1981, ch. 56-1/2, par. 79.1 et seq.~~) [240 ILCS 35].

"Sanitary Inspection Act" means "AN ACT to prevent the



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preparation, manufacture, packing, storing, or distributing of food intended for sale, or sale of food, under insanitary, unhealthful or unclean conditions or surroundings, to create a sanitary inspection, to declare that such conditions shall constitute a nuisance, and to provide for the enforcement thereof" (~~Ill. Rev. Stat. 1981, ch. 56 1/2, par. 67 et seq.~~) [410 ILCS 650].

- b) Words in the singular form shall be deemed to include the plural, words in the masculine form shall be deemed to include the feminine form, and vice versa, as the case may require.

(Source: amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## Section 515.60 Construction and Equipment Requirements

Refrigerated warehouses shall comply with provisions of the Sanitary Inspection Act (~~Ill. Rev. Stat. 1981, ch. 56 1/2, pars. 67-76~~) [410 ILCS 650/1-10] as well as the Illinois Refrigerated Warehouses Act. Refrigerated warehouses shall be constructed and equipped with accurate and reliable controls as necessary for the freezing and holding in a frozen condition any food product accepted for storage. Upon examination of the warehouse, the Department inspector shall notify the licensee in writing of any condition which exists that could be detrimental to the freezing and holding of the food product or its use as human food or intended use without causing physical or health conflicts. The notice shall also state what must be done to remedy the condition and the time limit for doing so. In setting the time period for bringing the refrigerated warehouse into compliance, the Department shall consider the type of food product in storage, the length of time it has been in storage, its apparent condition, costs and time necessary to remedy the condition, and any facts or circumstances that could effectaffect the wholesome condition of the food product. The Department's primary concern is to keep the food product in storage acceptable for human food or intended use. No licensee will be issued or the license will be revoked if the licensee fails or refuses to bring the warehouse into compliance. This rule is subject to 8 Ill. Adm. Code 515.100.

(Source: amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## Section 515.110 Extension of Storage Period

In accordance with Section 8 of the Act, applications for permits

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to retain articles of food in storage beyond the 24-month period shall be received by the Department at least 30 days before expiration of the time that the food is to be removed from storage. Extension for further storage shall be granted if, upon examination, the articles of food are found to be in wholesome condition for further storage in accordance with the Meat and Poultry Inspection Act (~~Ill. Rev. Stat. 1981, ch. 56 1/2, par. 301 et seq.~~) [225 ILCS 650] and the Meat and Poultry Inspection rules (8 Ill. Adm. Code 125+ ~~Chapter I, Subchapter e~~). If extension of the time period of storage is approved, the Department shall issue to the licensee a written order stating the extension of time allowable for the food products covered in such request for extension. In determining the extension period, the Department shall consider the type of food product in storage, its apparent condition, length of time it has been in storage and any facts or circumstances that could effectaffect the wholesome condition of the food product for human consumption or its intended use. If the licensee is not satisfied with the decision on the extension, the licensee may request an administrative hearing (see 8 Ill. Adm. Code 515.150) to present his case. When requested by the Department for use at an administrative hearing or in order for the inspector to assure the wholesomeness of the food product in intended storage, the refrigerated warehouseman shall furnish a list of all foods in said warehouse which have been in storage 24 months, including the time such product was held in other Illinois warehouses and other states where the facts are known.

(Source: amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## Section 515.130 Retention, Confiscation, and Destruction

Any authorized representative of the Department is empowered to retain in the warehouse or confiscate any product stored over 24 months and found to be in noncompliance with the Meat and Poultry Inspection Act (~~Ill. Rev. Stat. 1981, ch. 56 1/2, par. 301 et seq.~~) [225 ILCS 650] and the rules promulgated pursuant thereto (8 Ill. Adm. Code 125+ ~~Chapter I, Subchapter e~~). The licensee will be notified personally or by certified or registered mail of an administrative hearing (see 8 Ill. Adm. Code 515.150) to determine the disposition of the product. If, upon examination by the proper authorities, such product is found to be unwholesome or if licensee fails or refuses to correct food products that are improperly labeled or improperly packed, the Department shall confiscate and cause such product to be destroyed or designated for use other than human consumption where the condition of the product will permit such use.

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(Source: \_\_\_\_\_) amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_,

## Section 515.150 Administrative Hearings

All decisions and actions of the Department are subject to the Illinois Administrative Procedure Act ~~(Ill. Rev. Stat. 1981, ch. 127, pars. 1001-1 et seq.)~~ [5 ILCS 1001 and the Department's Administrative Rules (8 Ill. Adm. Code 1) which pertain to administrative hearings, petitions, proceedings, contested cases, declaratory rulings and availability of Department files for public access. Administrative hearings are governed by the Illinois Administrative Procedure Act and Subpart B of the Department's Administrative Rules. The final administrative decision of the Department (see 8 Ill. Adm. Code 1.75(k) and 1.340) shall be subject to Section 12 of the Act.

(Source: \_\_\_\_\_) amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_,

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

- 1) HEADING OF THE PART: Falconry and the Captive Propagation of Raptors
- 2) CODE CITATION: 17 Ill. Adm. Code 1590
- 3) SECTION NUMBERS:  
1590.80 Amendments  
1590.90 Amendments  
1590.120 Amendments
- 4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.1, 2.2, 2.4, 2.6, 2.7, 2.13, 2.18, 2.20, 2.27, 2.28, 2.29, 2.30, 3.5 and 3.36 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.3, 1.4, 2.1, 2.2, 2.4, 2.6, 2.7, 2.13, 2.18, 2.20, 2.27, 2.28, 2.29, 2.30, 3.5 and 3.36) [520 ILCS 5/1.3, 1.4, 2.1, 2.2, 2.4, 2.6, 2.7, 2.13, 2.18, 2.20, 2.27, 2.28, 2.29, 2.30, 3.5 and 3.36] and Section 335 of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1991, ch. 8, par. 335) [520 ILCS 10/5].

- 5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:  
This Part is being amended to allow General Class Falconers to use captive-bred endangered species and to allow Falconers to use non-threatened or endangered raptors for exhibition and entertainment.

- 6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

- 7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

- 8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

- 9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART?  
No

- 10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

- 11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Jack Price  
Department of Conservation  
524 S. Second Street, Room 485  
Springfield, IL 62701-1787



## DEPARTMENT OF CONSERVATION

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- 12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule does not affect small businesses

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

## DEPARTMENT OF CONSERVATION

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TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF CONSERVATION  
SUBCHAPTER d: FORESTRY

## PART 1590

## FALCONRY AND THE CAPTIVE PROPAGATION OF RAPTORS

Section  
1590.10  
1590.20  
1590.30  
1590.40  
1590.50  
1590.60  
1590.70  
1590.80  
1590.90  
1590.100  
1590.110  
1590.120  
1590.130  
APPENDIX A

Establishment of Rules and Regulations  
Definitions for the Purpose of these Regulations  
Provisions of Rules and Regulations (Repealed)  
Violation of Rules (Repealed)  
Permit and License Requirements  
Examination and Application Procedures  
Inspection of Facilities and Equipment  
Falconry Permits - Class and Types  
Capturing of Raptors - Regulations  
Transfer, Temporary Care and Reporting Requirements  
Hunting Seasons for Falconers  
Special Provisions  
Violation of Rules  
Migratory Bird Acquisition and Disposition Report

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.1, 2.2, 2.4, 2.6, 2.7, 2.13, 2.18, 2.20, 2.27, 2.28, 2.29, 2.30, 3.5 and 3.36 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.3, 1.4, 2.1, 2.2, 2.4, 2.6, 2.7, 2.13, 2.18, 2.20, 2.27, 2.28, 2.29, 2.30, 3.5 and 3.36) [520 ILCS 5/1.3, 1.4, 2.1, 2.2, 2.4, 2.6, 2.7, 2.13, 2.18, 2.20, 2.27, 2.28, 2.29, 2.30, 3.5 and 3.36] and Section 335 of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1991, ch. 8, par. 335) [520 ILCS 10/5].

SOURCE: Amendment filed November 17, 1977; effective January 1, 1978; emergency amendment at 5 Ill. Reg. 9161, effective September 1, 1981, for a maximum of 150 days; amended at 6 Ill. Reg. 6207, effective May 14, 1982; amended at 10 Ill. Reg. 16627, effective September 24, 1986; amended at 11 Ill. Reg. 11350, effective June 9, 1987; amended at 12 Ill. Reg. 12807, effective July 26, 1988; amended at 13 Ill. Reg. 10567, effective June 16, 1989; amended at 14 Ill. Reg. 6088, effective April 17, 1990; amended at 15 Ill. Reg. 32, effective December 24, 1990; amended at 15 Ill. Reg. 16681, effective October 31, 1991; amended at 16 Ill. Reg. 11052, effective June 30, 1992; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

Section 1590.80

Falconry Permits - Class and Types

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- a) **Apprentice Class.** Permittees shall be at least 14 years of age, and must serve an apprenticeship under a general or master class permittee for the first two years in which an apprentice permit is held. Permittees may possess no more than one raptor, and may obtain no more than one replacement raptor during any 12-month period. Permittees may possess only an American kestrel, red-tailed hawk, or red-shouldered hawk taken from the wild in accordance with federal regulations (50 CFR 21.29, effective September 14, 1989) and this Part. Sponsors may not have more than three apprentices at any one time.
- b) **General Class.** Permittees must be at least 18 years of age and have at least two years of licensed falconry experience at the apprentice class level. Permittees shall possess no more than two raptors, and may not obtain more than two replacement raptors during any 12-month period. Permittees shall not take, transport, or possess any golden eagle ~~or~~. Permittees shall not take any species or subspecies listed as endangered or threatened by the U.S. Fish and Wildlife Service (50 CFR 17, effective July 15, 1991) (no incorporation in this Part includes later amendments or editions) ~~and the Illinois Endangered Species Protection Board (17 Ill. Adm. Code 1010), but may possess captive-bred raptors of such species as part of the two-bird limit.~~
- c) **Master Class.** Permittees must have at least five years of licensed falconry experience at the general class level. Permittees shall possess no more than three raptors, and may not obtain more than two replacement raptors during any 12-month period. Permittees shall not take any species or subspecies listed as endangered by the U.S. Fish and Wildlife Service ~~and the Illinois Endangered Species Protection Board~~, but may possess captive-bred raptors of such species as part of the three-bird limit (50 CFR 17.7, effective January 1, 1989). Permittees shall not take, in any twelve-month period, as part of the three bird limit, more than one raptor listed as threatened by the U.S. Fish and Wildlife Service and then only in accordance with this Part and federal regulations (50 CFR 17, effective September 14, 1989). (No incorporation in this Part includes later amendments or editions). Permittees may not take, transport or possess golden eagles for falconry purposes unless authorized in writing by the U.S. Fish and Wildlife Service (50 CFR 22.24, effective December 29, 1983). (No incorporation in this Part includes later

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- amendments or editions).
- d) Upon completing the requirements needed to enter the next highest class, a falconer may submit a written request for an upgrade to the Department. The Department shall confirm the completion of all requirements and grant the request upon approval from the U.S. Fish and Wildlife Service.
- e) **Captive Propagation.** Unless this Part is more restrictive, federal regulations (50 CFR 21.30, effective September 14, 1989) shall govern the activities of Illinois Captive Propagation permittees. Raptors held for captive propagation purposes may be held only under permits from both the U.S. Fish and Wildlife Service and the Department. The initial fee for a captive propagation permit is seventy-five (\$75) dollars for three years and must be renewed every three years if raptors are to be possessed or held beyond the permit expiration date. A holder of an Illinois captive propagation permit must also be a holder of an Illinois falconry permit. An Illinois captive propagation permit holder may transfer, purchase, sell, or barter raptors, raptor eggs, or raptor semen in accordance with federal regulations (50 CFR 21.30, effective September 14, 1989) (no incorporation in this Part includes later amendments or editions), this Part, and the laws of other jurisdictions in which these products are transferred, purchased, sold, or bartered. Nothing in this Part shall prevent a permittee from holding individual birds under the authority of both the falconry permit and the captive propagation permit at the same time within the numerical limits for the falconry permit.
- 1) Raptors shall not be cross-bred (hybridization) unless specific authorization is granted by the Department.
- 2) Raptors may be loaned for breeding purposes in accordance with Section 1590.100 of this Part.
- 3) Markers shall be placed on all raptors used for captive propagation and all captive-produced raptors as directed by the Department or the U.S. Fish and Wildlife Service (50 CFR 21, effective September 14, 1989).
- f) All raptors possessed under authority of an Illinois



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falconry permit must be identified by a marker. The loss or removal of any marker must be reported to the Department and the U.S. Fish and Wildlife Service (on U.S. Fish and Wildlife Service Form 3-186A) within five working days of the loss or removal. The band must be replaced by a marker provided by the Department. A U.S. Fish and Wildlife Service Form 3-186A must be filed within 5 days of receipt of the replacement marker.

- g) No person may possess a bald eagle, osprey, or any owl, except great-horned owls, for falconry purposes (Ill. Rev. Stat. 1991, ch. 61, par. 2.4).
- h) The Department shall issue special use permits in accordance with 17 Ill. Adm. Code 520.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 1590.90 Capturing of Raptors - Regulations

- a) A permittee in possession of a valid "Capture Permit" may capture raptors of a non-prohibited species or subspecies. The capture season for immature raptors capable of flight (passage) and adult (haggard) kestrels and great horned owls shall be between September 1 and January 31; the capture or taking of any young bird in Illinois not yet capable of flight (eyes) is limited to general and master class permittees during the first, second, third and fourth Saturdays in March and from May 20 to June 11; permittees may take no more than two eyasses during this period. When eyasses are captured, at least one eyas shall be left in the nest. No permittee may capture any raptor without an appropriate permit from the Department to do so. The Department shall determine eligibility by compliance with the provisions of this Part. The fee for a raptor capture permit for a resident of the State of Illinois is thirty (\$30) dollars. The fee for a non-resident raptor capture permit is fifty (\$50) dollars. Such permits shall expire on January 31 of each year, and shall authorize the permittee to take up to his legal limit of raptors for possession and/or replacement. The Department will authorize up to 250 "Capture Permits" annually. Requests for capture permits in excess of 250 will be considered first in following years. All raptors shall be captured in a humane manner. Marked raptors that escape or are lost may be recaptured at any time without a capture

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permit.

- 1) A marker must be attached to any raptor taken in Illinois within 5 days of capture, and the State's copy of U.S. Fish and Wildlife Service form 3-186A provided to the Department within five days of capture as determined by the postmark.
- 2) Markers shall not be altered, counterfeited, or defaced.
- 3) Permit holders capturing any previously marked raptor(s) shall immediately report such trapping to the Department or the previous owner.
- b) Any wild raptor listed as endangered or threatened by the U.S. Fish and Wildlife Service (50 CFR 17, effective July 15, 1991) may not be captured in Illinois for falconry purposes. This prohibition shall not prevent a master class permittee from obtaining a wild raptor listed as threatened by the U.S. Fish and Wildlife Service (50 CFR 17, effective July 15, 1991), provided such raptors are captured legally in another state or country, or transferred from another falconer in accordance with federal regulations (50 CFR 21.29, effective September 14, 1989), this Part, and the laws of the jurisdiction in which such raptors are obtained.
- c) Any wild raptor listed as endangered or threatened by the Illinois Endangered Species Protection Board (17 Ill. Adm. Code 1010) but not by the U.S. Fish and Wildlife Service (50 CFR 17, effective July 15, 1991) may not be captured in Illinois for falconry purposes. This prohibition shall not prevent a permittee from obtaining such species, provided they are captured legally in another state or country or transferred from another falconer in accordance with federal regulations (50 CFR 21.29, effective September 14, 1989), this Part, and the laws of the jurisdiction in which such raptors are obtained.
- d) Except as provided for in Sections 1590.50(a)(2) and 1590.50(d), any unmarked raptors imported into Illinois must be identified with a marker provided by the Department, and the State's copy of U.S. Fish and Wildlife Service Form 3-186A returned to the Department within five days after marking, as determined by the postmark.

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- e) Raptors taken under a depredation (or special purpose) permit may be used for falconry by general or master falconers in compliance with federal regulations (50 CFR 21, effective September 14, 1989). (No incorporation in this Part includes later amendments or editions).

(Source: Amended at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 1590.120 Special Provisions

- a) Molted and salvaged feathers from birds held in captivity may be retained and exchanged by their permittees for imping purposes only.

- b) Any person convicted of illegal possession of raptors shall have his (or her) permit revoked and his (or her) raptors confiscated by the Department. The Department shall dispose of the confiscated raptor by transferring the raptor to another permittee, releasing to the wild, or destroying the raptor if it is unsuitable to be transferred or released.

- c) Convictions of any Section of this Part shall result in a period of suspension or revocation of the permittee's falconry privileges for up to 5 years by the Department, pursuant to 17 Ill. Adm. Code 2530.

- d) Individual raptors in possession prior to February 1, 1975 (excluding species subject to the Illinois Endangered Species Protection Act, effective April 1973) are exempt from the possession requirements of Section 1590.60 of this Part.

- e) A permittee who possesses a lawfully acquired raptor on which a marker is attached and is listed as endangered by the Illinois Endangered Species Protection Board (17 Ill. Adm. Code 1010) and not by the Fish and Wildlife Service (50 CFR 17, effective September 14, 1989), and such raptor(s) were acquired prior to the enactment of these regulations or prior to listing of such bird to the Endangered Species list of Illinois or the United States, legally acquired out of state (see Section 1590.90(b)), or is the progeny of two legally held birds (see Section 1590.80(e) and Section 1590.100(e)), shall be allowed to possess such raptor(s) as part of the permittee's falconry permit class.

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- f) Nothing in this Part shall prohibit the use of raptors held on a falconry permit for educational purposes.
- g) Permittees in possession of an Illinois Game Breeders Permit may train raptors by using or killing pen reared game at any time.

- h) Falconers may use raptors which are not on either the Federal or State Endangered or Threatened Species List for exhibition or entertainment purposes.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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1) Heading of the Part: Claims, Adjudication, Appeals and Hearings

2) Code Citation: 56 Ill. Adm. Code 2720

<u>Section Numbers:</u>	<u>Proposed Action:</u>
2720.10	Amended Section
2720.130	Amended Section
2720.135	Amended Section
2720.200	Amended Section
2720.201	New Section
2720.205	Amended Section
2720.215	Amended Section
2720.240	Amended Section
2720.245	Amended Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 48, pars. 349, 409, 420, 450, 451, 452, 453, 455, 456, 470, 471, 473, 474, 474a, 500, 501, 502, 504, 530, 610, 611, 700, 702 and 704 [820 ILCS 405/239, 409, 500, 604, 700, 701, 702, 703, 705, 706, 800, 801, 803, 804, 805, 1000, 1001, 1002, 1004, 1200, 1700, 1701, 2300, 2301, 2302 and 2304].

5) A Complete Description of the Subjects and Issues Involved:  
The amendments to Sections 2720.10 and 2720.130 clarify the Agency's longstanding interpretation of these rules that, if the due date for filing a protest to a claim pursuant to Section 2720.130(a) is a day on which an Agency facility is closed, the due date for filing the protest is extended to the next day on which the facility is open to the public (as is provided in 5 ILCS 70/1.11).

The amendment to Section 2720.135 corrects a crossreference. The amendment to Section 2720.200 and new Section 2720.201 allow for the electronic transmission of the notice of hearing. Current rules and practice allow for electronic transmission of the notice of claim. These rules are the next step in improved service to the business community by the use of modern technology. The amendment to Section 2720.205 makes some technical changes.

The amendment to Section 2720.215 provides that a telephone hearing will be scheduled only if a party is located out of state. However, a telephone appearance will be available to a party or a witness as a matter of right unless the Referee finds that due to the volume or complexity of the evidence or

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for a proper disposition of the case, an in-person appearance is necessary.

The amendment to Section 2720.240 is intended to severely limit the availability of continuances. The purpose of the administrative process is to provide fast and efficient handling of a high volume of work. The granting of continuances mires this process. With the widespread use of telephone appearances, it is no longer necessary to continue a case when a witness is on vacation. That witness should, in all but an extraordinary case, be made available to appear by telephone.

The amendment to Section 2720.245 eliminates mention of the "burden of going forward." This was a terribly confusing concept as many parties confused this with the burden of proof. The concept did not work in practice because, for example, in a voluntary leave case, an appellant employer may not know why a claimant quit his job. In such a case, the Referee should ask the claimant to testify first. In a misconduct case, the claimant might not understand why he was fired. It makes more sense for the party with the most knowledge of the facts to present its case first.

Will the proposed amendment replace an emergency amendment currently in effect? No.

Does this rulemaking contain an automatic repeal date? No.

Does this proposed amendment contain incorporations by reference? No.

Are there any other proposed amendments pending on this Part? Yes.

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
2720.300	Amended Section	17 Ill. Reg. 16313 (October 8, 1993)

Statement of Statewide Policy Objectives? Not Applicable.

10) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: All persons who submit a request to comment regarding this proposed amendment within 20 days after this notice has been published in the ILLINOIS REGISTER will be given a reasonable opportunity to submit data, views, arguments or comments. The request shall be addressed to:

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Gregory J. Ramel, Deputy Legal Counsel  
 Illinois Department of Employment Security  
 401 South State Street - 2nd Floor South  
 Chicago, IL 60605  
 312-793-4240

12) Initial Regulatory Flexibility Analysis:

Date rules were submitted to the Small Business Office of the Department of Commerce and Community Affairs: June 7, 1994.

Types of small businesses affected: The proposed rules are purely procedural and affect all businesses equally.

Reporting, bookkeeping or other procedures required for compliance: None.

Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendments begins on the next page:

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TITLE 56: LABOR AND EMPLOYMENT  
 CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY  
 SUBCHAPTER a: GENERAL PROVISIONS

## PART 2720

CLAIMS, ADJUDICATION, APPEALS AND HEARINGS

## SUBPART A: GENERAL PROVISIONS

Section	Definitions
2720.1	"Week" In Relation To "Benefit Year"
2720.3	Service Of Notices, Decisions, Orders
2720.5	Application For Electronic Data Transmission
2720.7	Computation Of Time
2720.10	Disqualification Of Adjudicator, Referee, Or Board Of Review
2720.15	Attorney Representation Of Claimants
2720.20	Form Of Papers Filed
2720.25	Correction Of Technical Errors
2720.30	

## SUBPART B: APPLYING FOR UNEMPLOYMENT INSURANCE BENEFITS

Section	Filing A Claim
2720.100	Filing, Registering And Reporting By Mail Under Special Circumstances
2720.101	Time For Filing An Initial Claim For Benefits
2720.105	Dating Of Claims For Weeks Of Partial Unemployment
2720.106	Employing Unit Reports For Partial Unemployment
2720.107	Alternative "Base Period"
2720.108	Required Second Visit To Local Office
2720.110	Continuing Eligibility Requirements
2720.115	Time For Filing Claim Certification For Continued Benefits
2720.120	Work Search Requirements For Regular Unemployment Insurance Benefits (Repealed)
2720.125	Availability For Part Time Work Only (Repealed)
2720.126	Director's Approval Of Training (Repealed)
2720.127	Active Search For Work: Attendance At Training Courses (Repealed)
2720.128	Regular Attendance In Approved Training (Repealed)
2720.129	Employing Unit Protest Of Benefit Payment
2720.130	Required Notice By An Employer Of Separation For Alleged Felony Or Theft Connected With The Work
2720.132	Adjudicator Investigation
2720.135	Adjudicator Determination
2720.140	Payment Of Unemployment Insurance Benefits For Initial Claims
2720.145	



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2720.150 Applying For Unemployment Insurance Benefits Under Extension Programs  
 2720.155 Non-Resident Application For Benefits  
 2720.160 Reconsidered Findings Or Determinations

## SUBPART C: APPEALS TO REFEREE

Section  
 2720.200 Filing Of Appeal  
 2720.201 Application For Electronic Data Transmission Of Notice Of Hearing  
 2720.205 Notice Of Hearing  
 2720.210 Preparation For The Hearing  
 2720.215 Format Of Hearings  
 2720.220 Ex Parte (One Party Only) Communications  
 2720.225 Subpoenas  
 2720.227 Depositions  
 2720.230 Consolidation Or Severance Of Proceedings  
 2720.235 Withdrawal Of Appeal  
 2720.240 Continuances  
 2720.245 Conduct Of Hearing  
 2720.250 Rules Of Evidence  
 2720.255 Failure Of Party To Appear At The Scheduled Hearing  
 2720.260 The Record  
 2720.265 Referee's Decision  
 2720.270 Labor Dispute Appeals  
 2720.275 Prehearing Conference In Labor Dispute Appeal  
 2720.277

## SUBPART D: APPEALS TO THE BOARD OF REVIEW

Section  
 2720.300 Filing Of Appeal  
 2720.305 Notice Of Appeal  
 2720.310 Request For Oral Argument  
 2720.315 Submission Of Written Argument Or Request to Submit Additional Evidence  
 2720.320 Access To Record  
 2720.325 Withdrawal Of Appeal  
 2720.330 Consolidation Or Severance Of Appeals  
 2720.335 Decision Of The Board Of Review  
 2720.340 Extensions Of Time In Which To Issue A Board Of Review Decision  
 2720.345 Issuance Of Notice Of Right To Sue

AUTHORITY: Implementing and authorized by Sections 239, 409, 500, 604, 700, 701, 702, 703, 705, 706, 800, 801, 803, 804, 805, 1000, 1001, 1002, 1004, 1200, 1700, 1701, 2300, 2301, 2302 and 2304 of the Unemployment Insurance Act (Ill. Rev. Stat. 1991, ch. 48, pars. 349, 409, 420, 450, 451, 452, 453, 455, 456, 470, 471, 473, 474,

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474a, 500, 501, 502, 504, 530, 610, 611, 700, 701, 702 and 704) [820 ILCS 405/239, 409, 500, 604, 700, 701, 702, 703, 705, 706, 800, 801, 803, 804, 805, 1000, 1001, 1002, 1004, 1200, 1700, 1701, 2300, 2301, 2302 and 2304].

SOURCE: Adopted at 8 Ill. Reg. 24957, effective January 1, 1985; amended at 10 Ill. Reg. 12620, effective July 7, 1986; amended at 11 Ill. Reg. 14338, effective August 20, 1987; amended at 11 Ill. Reg. 18671, effective October 29, 1987; amended at 12 Ill. Reg. 14660, effective September 6, 1988; emergency amendments at 13 Ill. Reg. 11890, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 18263, effective November 9, 1989; amended at 14 Ill. Reg. 15334, effective September 10, 1990; amended at 14 Ill. Reg. 18489, effective November 5, 1990; amended at 16 Ill. Reg. 2556, effective January 30, 1992; emergency amendment at 16 Ill. Reg. 7506, effective April 22, 1992, for a maximum of 150 days; emergency expired September 19, 1992; amended at 17 Ill. Reg. 17937, effective October 4, 1993; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL PROVISIONS

## Section 2720.10 Computation of Time

- a) The calendar day on which any notice, decision or order is mailed or electronically transmitted by the agency shall be excluded in computing time.
- b) The calendar day on which notice is due from a party or from an employing unit which is seeking to become a party pursuant to Section 2720.130(a) or action is required by a party or by an employing unit which is seeking to become a party pursuant to Section 2720.130(a) shall be included in the computation of time.
- c) If the last day a document may be filed by a party or by an employing unit which is seeking to become a party pursuant to Section 2720.130(a) is a day on which the Agency facility is closed, the due date is extended to the end of the next day on which the facility is open.
- d) The date on the document shall be rebuttable evidence that it was mailed on that date; a postmark placed on the envelope by the United States Postal Service shall be conclusive evidence of the date of mailing; where a "Notice of Claim to Last Employing Unit and Last Employer or other Interested Party" is electronically transmitted to an employing unit (or its authorized

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agent), the date of transmission shown on the agency's records shall be conclusive evidence of the date of service of the Notice.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART B: APPLYING FOR UNEMPLOYMENT INSURANCE BENEFITS

## Section 2720.130 Employing Unit Protest Of Benefit Payment

- a) A protest, ("Notice Of Possible Ineligibility" or a letter in lieu thereof) raises questions of eligibility, entitles an employing unit to receive an Adjudicator's Determination regarding questions of eligibility raised, and if timely and sufficient as set out below, provides party status and appeal rights of such Determination relating to the protest.

- 1) The employing unit shall file, either by mail or by hand delivery, the protest within ten calendar days after the date of notice shown on the Form "Notice of Claim to Last Employing Unit and Last Employer or Other Interested Party" (see Section 2720.10 for the computation of time). The protest shall be addressed, if mailed, or hand delivered to the Director at the local office designated on the form received by the employing unit. If the employing unit mails or hand delivers the protest to an address other than the address designated on the form received by the employing unit, timeliness of the notice shall be measured from the date of receipt at the proper address instead of the postmark date or the hand delivery date, as the case may be.

- 2) The protest should include the names, addresses and telephone numbers of persons having knowledge of the facts and circumstances supporting the allegation whom the employing unit designates for the Agency to contact for further information. The protest must meet the sufficiency requirements of subsection (d).

- b) Because, during a claim series, acts or circumstances may occur which could result in ineligibility, an employing unit's protest with respect to those acts or circumstances will be deemed timely (irrespective of the ten day time limit set forth in subsection (a)) and will, if also sufficient, provide party status; except, if the employing unit protests that, under Section 500C

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of the Act, the individual was not able to work, available for work or actively seeking work, then (that part of) the employing unit's protest will not be deemed timely and will not provide party status for any week prior to the week in which it was received by the Agency. Whether or not a protest is deemed timely or an employing unit is provided party status, ineligibility is determined from the week in which the acts or circumstances occurred.

- 1) Example: The employing unit from which the individual was separated does not respond within 10 days of date of mailing of the Notice of Claim to Last Employer. Last Employing Unit or other Interested Party. Later, during the claim series, the employing unit offers the individual suitable work that he refuses without good cause. The employing unit then protests, alleging that the individual should be ineligible under Section 603 of the Act, refusal of suitable work. This protest shall be deemed timely beginning with the week in which the refusal of work occurred.

- 2) Example: During the third week of the claim series, the school district which employed the individual as a teacher during the last academic term offers him a contract to teach again in the next academic term. During the seventh week of the claims series, the school district protests that the individual should be ineligible under Section 612 of the Act. This protest shall be deemed timely as of the date that it is determined that the contract was offered to the individual.

- 3) Example: The individual has been receiving benefits for fourteen weeks. In the fifteenth week, his former employer hears that the individual may have been incapacitated by an injury beginning in week six of the claim series. The employer protests that the individual should be ineligible for benefits under Section 500C of the Act beginning with week six of the claim series. While the Agency will investigate this individual's eligibility for benefits beginning with week six, the employer will only be a party to the determination of eligibility beginning with the week in which the employer notifies the Agency of its allegation of possible ineligibility.



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- c) Where an employer alleges that an individual who was initially an unemployed individual but was later not unemployed under Section 239 of the Act, because the individual returned to work for the employer and continued to claim benefits, a protest shall be considered timely if filed within 45 days of the date the Agency mails the employer a Statement of Benefit Wages (BEN-118) which includes a period in which the employer alleges that the individual claimed benefits while he was employed by the employee.
- d) As long as the employing unit gives a reason or reasons for the allegation and the reason(s) is directly related to the issue raised and is not a general conclusion of law, the allegation shall be considered sufficient. A protest under this Section is sufficient only if limited to one claimant, except as otherwise provided below, and only if it:
- 1) Alleges on the protest that the claimant is not eligible for benefits or waiting week credit by providing material reasons or facts in support of the allegation, other than a conclusion of law, which would support the claimant being held ineligible for benefits; or,
  - A) EXAMPLE: SUFFICIENT - EMPLOYING UNIT'S PROTEST ALLEGES:
    - i) The claimant is not able to and available for work because she is in school.
    - ii) The claimant is not able to and available for work because he has no child care during working hours.
    - iii) The claimant is not able to and available for work because he has removed himself to an area of substantially less favorable work opportunities.
    - iv) The claimant is not able to and available for work because she is seeking part-time work.
    - v) The claimant is not able to and available for work because he is in an occupation for which there is demand in the labor market area.
  - B) EXAMPLE: NOT SUFFICIENT - EMPLOYING UNIT'S PROTEST ALLEGES:
    - i) The claimant is not actively seeking work. (General conclusion of law).

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- ii) The claimant is not available for work. (No reason given for allegation).
  - iii) The claimant is not able to and available for work because he was discharged from his last job. (Reason given is not related to the issue raised).
- 2) Alleges that the claimant is not eligible for benefits, because, in connection with any separation or layoff, the claimant has been or will be paid vacation pay, vacation pay allowance, or pay in lieu of vacation, in which event, the employing unit must designate, on the protest, within 10 calendar days after notification of the filing of his claim, or within 10 calendar days of the date such vacation pay is paid or payable, the period to which such pay is allocated. It is not necessary that a protest be filed for each individual vacation payment. No such designation is necessary for disqualification purposes, for vacation payments made during an announced period of shutdown for the purposes of inventory, vacation, or both; or
- 3) Alleges that the claimant is not eligible for benefits because he is unemployed due to his involvement in a labor dispute; and the employing unit, within 5 days of the start of the period of the work stoppage due to a labor dispute, provides the Agency with the name and Social Security number of each worker involved in the dispute. The list shall be filed with the Agency's Labor Dispute section. Upon receipt of the list, the Agency will mail a Labor Dispute Questionnaire to the employing unit and the union or representative of the employees involved in the labor dispute. The employing unit, union, and/or employee representative must respond to the questionnaire within 10 days. If the questionnaire is not received within 10 days, the Agency will issue a decision based on the information contained in the record at that time. The filing of the above list will constitute an allegation of possible ineligibility under the labor dispute provision (Section 604 of the Act) only and shall not be construed as an allegation of possible ineligibility under any other provision of the Act.
- e) In instances when the Agency decides that the protest

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has not met the sufficiency requirements of subsection (d)(1), the Agency shall immediately return the protest with a description of the needed information. If the protest with all required information is refiled within 10 days of the date the Agency mailed it back to the employing unit, the protest shall be considered filed on the date the Agency originally received it. In no event shall the Agency return an inadequate protest more than once. In the event that a protest does not meet the sufficiency requirements of subsection (d)(1) after being returned to the employing unit once, the Adjudicator shall determine the protest to be insufficient. A Decision that a protest is insufficient may be appealed pursuant to Section 2720.200.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 2720.135 Adjudicator Investigation

a) If any question arises concerning the claimant's monetary or nonmonetary eligibility, the claimant will be notified in writing. The adjudicator will inform the claimant of the precise factual question relating to his eligibility, the Sections of the law involved and the source of the information that raised the question.

b) An Adjudicator will investigate all allegations in the employer's protest. He will contact the employer, claimant and, if possible, any other source that either party identifies to resolve the protest, provided that the Agency will not contact witnesses identified by the claimant or the employer without notifying the claimant or the employer's designated contact person (see Section 2720.130(e)(3)(a)(2)) of this Part), as appropriate. The claimant will be given an opportunity to provide the Adjudicator with any statements or other evidence to refute or explain the allegations and establish his rights to benefits.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART C: APPEALS TO REFEREE

## Section 2720.200 Filing Of Appeal

a) Any party may appeal an Adjudicator's determination or finding. An appeal should be filed in person or by mail at the local office where the claim was filed.

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b) The appeal must be filed within 30 days after the Adjudicator's determination or finding was mailed or hand delivered to the parties (see Section 2720.10).

c) No special form is necessary to file an appeal to the Referee. The appeal should comply with the following requirements:

1) The appeal must be in writing, dated and signed by the person appealing or his representative;

2) The appeal must be limited to one claimant and contain the name and Social Security number of the claimant;

3) The appealing party must set forth the parts of the decision with which the appealing party disagrees and specific reasons for that disagreement;

4) An appeal of a labor dispute determination to a Director's Representative under Section 604 of the Act and 56 Ill. Adm. Code 2720.275 may be filed by any party to a Determination or an agent representing all members of the affected class of workers by listing only all Social Security account numbers of the employees on the appeal.

d) At the request of any appellant, an Adjudicator at the local office where the appeal should be filed pursuant to subsection (a) will assist the appellant to file the appeal. In such event, the Adjudicator providing assistance and the appellant will sign the appeal.

e) The Agency will promptly schedule a hearing before a Referee and, except as provided in Section 2720.201, mail notice of the hearing to the parties. (Customarily notice of hearing will be mailed within 15 days of the filing of the appeal.)

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 2720.201

Application For Electronic Data Transmission  
Of Notice Of Hearing

a) In lieu of receiving its notice of hearing as a paper document sent through the United States mail, an employing unit (or its authorized agent) may apply to



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have such document sent to it through electronic data transmission.

- b) The Director shall approve such application if the employing unit (or its authorized agent) agrees to:

1) At its own expense, on a daily basis, retrieve its electronically transmitted data from the data center of the Illinois Department of Central Management Services, designated by the Director;

2) Accept the date shown on the agency's records as conclusive evidence of the date that the electronically transmitted data was sent to the data center of the Illinois Department of Central Management Services;

3) Demonstrate to the Director that the volume of hearings where it is a party justifies the cost to the agency of putting the employing unit (or its authorized agent) on the electronic data transmission system.

- c) The Director must also find that the employing unit's (or its authorized agent's) electronic data processing equipment is compatible with that used by the Director.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 2720.205 Notice Of Hearing

- a) Written notice of the date, time and place of the hearing shall be mailed to the parties at least 10 days before the date of the hearing.

- b) The notice will identify the parties and the Findings or Determination being appealed and will inform the parties of the issues upon which the appeal is based.

- c) In the event that a claimant appeals an Adjudicator's Determination regarding a separation issue (Sections 601, 602, 603 of the Act), and where the employer employing unit from which the separation occurred is not a party, such employer employing unit will receive notice of hearing which heit may attend as a nonparty and present such facts and evidence as heit may possess.

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- d) No hearing, or part of a hearing shall be conducted on an issue to which the parties have not been given notice pursuant to subsections (a) and (b), unless such notice is waived by all parties either in writing or on the record.

- e) Unless notice is waived pursuant to subsection (d), if during or after the hearing, the Referee determines that the facts require a Decision under a Section(s) of the Act different from the Section(s) specified in the notice given pursuant to subsections (a) and (b), or that the notice does not accurately describe the question at issue, then the Referee shall immediately terminate the hearing, if applicable, issue no Decision on the merits, and shall either:

- 1) Remand the case back to the Claims Adjudicator for a Finding or Determination on the correct issue(s) if facts or issues are introduced which were not previously presented to the Claims Adjudicator; or

Example: The referee is examining the claimant with respect to the reason for separation from work. During the course of the hearing, the claimant indicates that he may not be able to work. Under the circumstances, the Referee shall remand the case to the Claims Adjudicator for a Determination under Section 500 of the Act.

- 2) Cause new notices containing the correct issue(s) to be mailed to the parties where the facts remain the same as presented to the Claims Adjudicator but the incorrect issue was identified.

Example: Based solely on the testimony of the claimant, the Claims Adjudicator determines that the claimant was discharged from his last job. After hearing testimony from the parties, the Referee decides that the separation was caused by the claimant's voluntary resignation. Here, if the parties refuse to waive notice, the Referee shall cause new notices containing the correct issue to be mailed to the parties.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## Section 2720.215 Format Of Hearings

a) Except as otherwise provided in subsection (b), hearings shall be conducted in-person unless--the claimant and employer in the disputed claim agree to a telephone hearing; or, the claimant or employer is located outside of the State at the time that the Notice of Hearing is sent; or, a witness or party requests for good cause to appear by telephone and the Referee finds that an in-person appearance is not required to determine the credibility of the evidence to be presented by the witness or party.

1) Such in-person hearing shall be conducted at the nearest a location where Referee hearings are regularly scheduled and, whenever possible, be conducted at a location near the local office where the claim was filed.

2) The Agency shall situate Referees throughout the State in a manner designed to maximize efficiency while providing the greatest possible convenience.

b) Requests to appear by telephone must be made as soon as possible after the Notice of Hearing is received, or immediately after the circumstances giving good cause for the appearance by telephone arises. A witness or party may appear by telephone provided the request to appear by telephone is received by the Referee prior to or at the hearing. A witness or party who requests to appear by telephone shall be required to appear in-person if the Referee finds that a in-person appearance is necessary due to the volume or complexity of the evidence or for the proper disposition of the claim. If the Referee requires the in-person appearance of a witness or party who has requested to appear by telephone, the reasons for doing so shall be stated on the record.

c) In ruling on a request for a change in the format of the hearing, the Referee shall state the reason(s) for the grant or denial of such format change on the record. A party appearing by telephone shall:

d) A claimant or employer participating in a telephone hearing must submit to the Referee and any opponent any documents that it intends to introduce at the hearing in time to ensure receipt of the documents before the date

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of the scheduled hearing. If a party is appearing by telephone in a matter that has been remanded by either the Board of Review or the Circuit Court and the opposing party was represented by an attorney before the body which ordered the matter remanded, copies of such documents must be served on the attorney for the opposing party. Such submissions shall also include a certificate of mailing which identifies the individual sending the documents; the nature of the documents; the time and place of mailing; and the address to which the documents were sent. All documents submitted to the Referee will be identified on the record. Unless waived on the record, if the Referee finds that any document introduced or referenced in the course of the hearing was not received, the Referee shall reschedule the hearing until such document is received or proceed with the hearing with or without the admission of such document. If the Referee proceeds with the scheduled hearing, the reasons for admitting or not admitting such document shall be stated on the record.

ed) This Section shall not apply to appeals of decisions relating to the amount of wages found in a claimant's base period; those cases will be governed by the provisions of Section 2725.200.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
Section 2720.240 Continuances

a) The Referee to whom the appeal was assigned, or his/her supervisor if the Referee is not available, shall grant a continuance whether requested in-person, by telephone or in writing for good cause shown requested by a party only for "exceptional reasons". The request must be made in person, by telephone, or in writing, and such request must be received prior to the conclusion of the hearing. Such "exceptional reasons" are limited to:

1) Compassionate Grounds:

A) Medical emergencies if the Referee is provided with proper documentation or proof of such emergency; or



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B) Death in the family:

2) Unforeseen circumstances such as accident, flood, fire, civil disorder or other insuperable interference;

3) A demand by a party to obtain legal representation, provided that it is shown at the time of the request that due diligence was exerted to obtain such representation;

4) The claimant is employed at the time of the hearing and cannot reasonably appear at the hearing either in person or by telephone; or

5) When a party's attorney has a conflict in his schedule because he has an appointment with a client or a court appearance scheduled for the same time as the hearing before the Referee and such appointment or court appearance is an emergency matter for which the Attorney had less than 24 hours notice.

Example: A continuance is requested because a party's attorney has a conflict in his schedule because he has an appointment with a client or a court appearance scheduled for the same time as the hearing before the Referee. Unless the appointment or court appearance is an emergency matter for which the attorney had less than 24 hours notice, such a conflict will not constitute good cause for a continuance. Absent emergency circumstances, it will be incumbent on the attorney to reschedule his other appointment or court appearance or obtain substitute counsel to appear in his stead.

b) In that the event that a continuance is granted, the hearing will be set for the earliest mutually agreeable available time and date. The Agency will inform the parties of the date, time and place of the continued hearing either orally or in writing.

Example: A continuance is requested because a party's attorney has a conflict in his schedule because he has

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an appointment with a client or a court appearance scheduled for the same time as the hearing before the Referee; -- Unless the appointment or court appearance is an emergency matter for which the attorney had less than 24 hours notice; -- such a conflict will not constitute good cause for a continuance; -- Absent emergency circumstances, it will be incumbent on the attorney to reschedule his other appointment or court appearance or obtain substitute counsel to appear in his stead.

(Source: Amended at 18 Ill. Reg. \_\_\_, effective \_\_\_)

## Section 2720.245 Conduct of Hearing

a) The Referee will control the hearing which will be confined to the factual and/or legal issues on appeal and ensure that the parties have a full opportunity to present all evidence and testimony regarding such issue(s).

b) In every case the appellant has the burden of coming forward with evidence to show that the Adjudicator's finding or determination is incorrect -- At the hearing, the appellant will first produce testimony and any other evidence he has to establish that the finding or determination is incorrect; -- The appellee may then introduce his evidence; -- Subsequently, the appellant may then introduce evidence to rebut the appellee's evidence:

c) Following the testimony of each witness, that witness may be questioned and cross-examined by any other party and questioned by the Referee, if necessary, to ensure clarity and completeness of the issues and of the record. The Referee shall ensure that the parties have a full opportunity to present all evidence and testimony regarding the factual and/or legal issues on appeal.

d) If any person becomes abusive or disruptive so that a full and fair hearing cannot be conducted, the Referee shall exclude the person from the hearing. The Referee will then continue the hearing without the participation of the excluded individual, and will render a decision based on the evidence in the record.

e) The Director shall prohibit any individual from representing a party in a proceeding under this Part if

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the Director finds that such individual is or has been guilty of violating the standards in Rule 1-102 of the Code of Professional Responsibility, Article 8 of the Rules of the Illinois Supreme Court (Ill. Rev. Stat. 1985<sup>91</sup>, ch. 110A, par. 1-110 et seq.) or has intentionally disregarded the provisions of the Act or rules promulgated thereunder, or the written instructions of the Board of Review. Such prohibition shall be in writing and shall be applicable for a period not to exceed 120 days from the date such decision is mailed to the party. Such individual may appeal the Director's Decision under the Administrative Review Law (Ill. Rev. Stat. 1985<sup>91</sup>, ch. 110, par. 3-101 et seq.) [735 ILCS 5/3-101 et seq.].

f2) Unless agreed to by all parties in writing or on the record, no bifurcated (split) hearings shall be held.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- 1) Heading of the Part: Employment
- 2) Code Citation: 56 Ill. Adm. Code 2732
- 3) Section Number: Proposed Action:  
2732.235 New Section  
2732.305 Amended Section
- 4) Statutory Authority: Ill. Rev. Stat., 1991, ch. 48, par. 315, 316, 321.5, 322, 325, 327, 328, 335, 610 and 611), as amended by P.A. 87-1178, effective September 22, 1992 [820 ILCS 405/205, 206, 211.5, 212, 215, 217, 219, 225, 1700, and 1701].
- 5) A Complete Description of the Subjects and Issues Involved: Section 218 of the Act exempts from the definition of covered employment individuals who provide services to certain relatives. It is the Department's interpretation that, if the individual is providing services to a partnership, the individual must have one of the specified relationships with all of the partners in order for such services to be exempt from the definition of employment under Section 218; also Section 218 is inapplicable to corporations; and the terms "father," "mother" and "child" are given their literal meanings.

The second proposed amendment to Part 2732 clarifies that an officer of a corporation, a sole proprietor or a partner can be employed separately from their corporation, proprietorship or partnership to work as an employee of the leasing company hired by their corporation, proprietorship or partnership to provide workers to that entity.

- 6) Will the proposed amendment replace an emp. agency amendment currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed amendment contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objective? Not Applicable.



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- 11) Time, Place and Manner in which interested persons may comment on this Proposed Rulemaking: All persons who submit a request to comment regarding this proposed amendment within 20 days after this notice has been published in the ILLINOIS REGISTER will be given a reasonable opportunity to submit data, views, arguments or comments. The request shall be addressed to:

Gregory J. Ramel, Deputy Legal Counsel  
 Illinois Department of Employment Security  
 401 South State Street - 2nd Floor South  
 Chicago, IL 60605  
 312-793-4240

- 12) Initial Regulatory Flexibility Analysis:

Date rules were submitted to the Small Business Office of the Department of Commerce and Community Affairs: June 7, 1994.

Types of small businesses affected: Partnerships where a relative of one of the partners is an employee and any employing unit which utilizes the services of an employee leasing company.

Reporting, bookkeeping or other procedures required for compliance: None - in one instance, the amendment only sets forth the agency's interpretation of a provision of the Act; in the other, the amendment only clarifies the intent of the original rulemaking in its application.

Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendments begins on the next page.

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## TITLE 56: LABOR AND EMPLOYMENT

CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY  
 SUBCHAPTER C: RIGHTS AND DUTIES OF EMPLOYERSPART 2732  
 EMPLOYMENT

## SUBPART A: COVERAGE

Section  
 2732.125

Requirement That "Four Or More" Employees Of A Nonprofit Organization Perform Services Within This State

## SUBPART B: SERVICES IN EMPLOYMENT

Section  
 2732.200  
 2732.203

Section 212 Of The Act - Services In Employment The Effect Of Regulation By A Governmental Entity On "Direction Or Control" Under Section 212 Of The Act  
 Mandatory Jury Service  
 Exemption From The Definition Of Employment For Direct Sellers Of Consumer Goods

## 2732.210

Exemption From The Definition Of Employment For Freelance Editorial Or Photographic Work

## 2732.225

Exemption For The Delivery Or Distribution Of Newspaper Or Shopping News To The Ultimate Consumer

## 2732.227

## 2732.230

## 2732.235

Domestic Service  
 Effect Of Section 218 Of The Act On The Employment Status Of Certain Relatives

## SUBPART C: DETERMINING THE EMPLOYER

## 2732.305

Employee Leasing Companies

AUTHORITY: Implementing and authorized by Sections 205, 206, 211.5, 212, 215, 217, 218, 225, 1700, and 1701 of the Unemployment Insurance Act (Ill. Rev. Stat. 1991, ch. 48, pars. 315, 316, 321.5, 322, 325, 327, 328, 335, 610 and 611) (see P.A. 87-1178, effective September 22, 1992) [820 ILCS 405/205, 206, 211.5, 212, 215, 225, 217, 218, 1700, and 1701].

SOURCE: Adopted at 13 Ill. Reg. 8864, effective May 30, 1989; amended at 14 Ill. Reg. 673, effective January 2, 1990; amended at 15 Ill. Reg. 11423, effective July 30, 1991; amended at 16 Ill. Reg. 8173, effective May 18, 1992; amended at 16 Ill. Reg. 12159, effective July 20, 1992; amended at 17 Ill. Reg. 8809, effective June 2, 1993; amended at 17 Ill. Reg. 17947, effective October 4, 1993; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

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## SUBPART B: SERVICES IN EMPLOYMENT

## SUBPART C: DETERMINING THE EMPLOYER

Section 2732.235 Effect Of Section 218 Of The Act On The  
Employment Status Of Certain Relatives

a) In interpreting Section 218 of the Act, where the employing unit is a partnership, the term "employment" shall exclude service performed by an individual who has one of the following relationships with respect to each partner: father, mother, or spouse or a child under the age of 18.

Example: Mary Jones and Sally Johnson are partners in a cleaning service. Sam Johnson is employed by the cleaning service. While Mary Jones and Sally Johnson are unrelated, Sam Johnson is under the age of 18 and the son of Mary Jones and is the husband of Sally Johnson. Because a relationship specified in Section 218 of the Act exists between Sam Johnson and each of the partners, his services are excluded from the definition of "employment."

b) For purposes of Section 218 of the Act, the terms, "father" and "mother" do not include a father-in-law or a mother-in-law; the term "child" does not include a step-child or foster child; the term "child" includes only a natural or adopted child.

Example: Joe's Diner is a partnership whose partners are Joe and Stella Smith, husband and wife. Jack Jones is an employee of the partnership. He is also the father of Stella Smith. The services provided by Jack Jones to the partnership constitute "employment" under the Act. Section 218 of the Act does not apply because Jack Jones does not have one of the specified relationships with Joe Smith.

c) Section 218 of the Act does not apply to a corporation.

Example: Mrs. Murphy is the president and sole shareholder of Corporation A. Mr. Murphy, her husband, is employed by the corporation as a janitor. Section 218 of the Act does not apply in this situation because Mr. Murphy is employed by the corporation, not by his spouse, Mrs. Murphy.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 2732.305 Employee Leasing Companies

a) The words and terms used in this Section shall have the following meanings:

- 1) "Client" shall have the same meaning as that set forth for this term in Section 2765.5 of this Part;
- 2) "Employee leasing company" (also referred to as an employee service company) shall have the same meaning as that set forth for this term in Section 2765.5 of this Part;

Example: An on-going business lays off its workers and then they are immediately hired by the employee leasing company. This transaction exemplifies supplying workers to a client.

- 3) "Worker" means an individual provided by an employee leasing company to perform services in employment for its client.

b) Notwithstanding any contractual provisions that designate who is the employer, an employee service company is the employer of a worker only if, in fact, the employee service company performs all of the following functions:

- 1) Retains the sole authority to hire, promote, discipline and terminate the worker. An indication of whether the employee leasing company performs this function can be found in the answers to the following questions:

- A) Who recruits, interviews and tests the prospective worker and subsequently makes the firing decision?
- B) Who formulates rules and regulations applicable to worker conduct, regardless of where the worker is placed?
- C) Who does the worker notify of any absences and requests for leave?
- D) Who resolves any worker dissatisfaction concerning conditions of employment?



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- 2) Assigns or approves the worker to perform services for the client. An indication of whether the employee leasing company performs this function can be found in the answers to the following questions:
- A) Does the client independently negotiate with the worker regarding conditions of employment?
  - B) If the client becomes dissatisfied with the performance of the worker and requests reassignment of the worker, who makes the decision whether to discharge the worker or reassign him to another client?
  - C) Who provides on-site supervision of the worker, prepares and sets a work schedule for workers at the job site and sets performance standards or time requirements for the completion of the client work assigned?
- 3) Decides the total compensation paid to the worker, including rate of pay and benefits. An indication of whether the employee leasing company performs this function can be found in the answers to the following questions:
- A) Who determines the hourly rate or salary of the worker and also decides whether to provide pay increases or decreases?
  - B) Who provides the medical and hospitalization insurance, life insurance and pension benefits?
  - C) When a package of benefits listed in subparagraph (B) above is provided, are they comparable regardless of the client?
  - D) Who not only issues a check for the worker's hourly wages but also pays sick, vacation and bonus compensation? Moreover, who reimburses the worker for his expenses?
- 4) Incurs liability for the State and Federal employment taxes and assures that workers' compensation is provided to the worker.

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- 5) Negotiates with clients for such matters as time, place, type of work, working conditions and quality and price of services. An indication of whether the employee leasing company performs this function can be found in the answers to the question:
- Prior to entering into the lease relationship, do the client and employee leasing company negotiate as to such matters as the number of shifts per work day, mandatory overtime, number of breaks and length of lunches?
- c) Notwithstanding any of the aforementioned functions, nothing herein shall limit the right of the employee leasing company to confer with its client concerning any of the aforementioned functions.
  - d) If the employee leasing company does not perform all of the functions in subsection (b) above, then the client is the employer of the worker.
  - e) Notwithstanding any other provisions of this Section, the client shall always be the employer of the officers of a corporation as the term is used in its Articles of Incorporation or By-laws to the extent that the individual is providing services in the capacity of an officer. However, nothing in this subsection is intended to preclude an officer of a corporation, a sole proprietor of a business or a partner in a partnership from separately performing and being compensated for services performed as an employee of the leasing company.

Example: Mr. Smith is the vice-president for operations of Company A which leases its workers from Leasing Company X. To the extent that Mr. Smith performs the functions of a vice-president of Company A, his wages for such services must be reported by Company A. However, Mr. Smith may provide services to Leasing Company X other than those as an officer of Company A. To the extent that these services are provided to the Leasing Company, any wages for these services are to be reported by the Leasing Company.

- f) Nothing in this Section is intended to preclude the employee leasing company from performing the functions in subsection (b) through on-site supervisors whether or not such supervisors were previously employed by the

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client in the same or similar capacities. However, the employee leasing company must show that such individuals are its employees while performing the function of on-site supervisors in that, subject to subsection (c), it performs the functions in subsection (b) with respect to such individuals

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- 1) Heading of the Part: General Provisions
- 2) Code Citation: 56 Ill. Adm. Code 2960
- 3) 

<u>Section Number:</u>	<u>Proposed Action:</u>
2960.210	New Section
2960.220	New Section
2960.230	New Section
2960.240	New Section
2960.250	New Section
2960.260	New Section

- 4) Statutory Authority: Ill. Rev. Stat., 1991, ch. 48, pars. 610, 611, 615 and 640; ch. 126 1/2, pars. 201-207 [330 ILCS 25/1-25/7].

- 5) A Complete Description of the Subjects and Issues Involved: Responsibility for the Veterans Employment Act Program was transferred to the Department of Employment Security, and these rules provide guidelines for the Program's administration.

- 6) Will the proposed amendment replace an emergency amendment currently in effect? No.

- 7) Does this rulemaking contain an automatic repeal date? No.

- 8) Does this proposed amendment contain an incorporation by reference pursuant to Section 6.02 of the Illinois Administrative Procedure Act? No.

- 9) Are there any other proposed amendments pending on this Part? No.

- 10) Statement of Statewide Policy Objective? Not Applicable.

- 11) Time, Place and Manner in which interested persons may comment on this Proposed Rulemaking: All persons who submit a request to comment regarding this proposed amendment within 20 days after this notice has been published in the ILLINOIS REGISTER will be given a reasonable opportunity to submit data, views, arguments or comments. The request shall be addressed to:

Gregory J. Ramel, Acting Commissioner  
 Illinois Department of Employment Security  
 401 South State Street - 2nd Floor South



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Chicago, IL 60605  
312-793-4240

12) Initial Regulatory Flexibility Analysis:

Date rules were submitted to the Small Business Office of the Department of Commerce and Community Affairs: June 7, 1994.

Types of small businesses affected: This rulemaking has no direct affect on businesses.

Reporting, bookkeeping or other procedures required for compliance: None - these amendments only directly affect unemployed workers.

Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendments appear on the following page of the Illinois Register.

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TITLE 56: LABOR AND EMPLOYMENT  
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY  
SUBCHAPTER h: JOB SERVICE

PART 2960  
GENERAL PROVISIONS

SUBPART B: INFORMATION OBTAINED PURSUANT TO ADMINISTRATION  
OF THE STATE EMPLOYMENT SERVICE

Section  
2960.100  
2960.105

Disclosure Of Information  
Disclosure Of Information For Use In Employment,  
Training And Educational Programs Administered By State  
And Local Governmental Social Welfare Agencies  
Disclosure Of Information For Use By Governmental  
Agencies Participating In Public Works And Related  
Programs

2960.110

SUBPART C: VETERANS EMPLOYMENT ACT PROGRAM

2960.210  
2960.220  
2960.230  
2960.240  
2960.250  
2960.260

Definitions  
Designation of Multi-Purpose Service Centers  
Target Groups  
Program funding  
Responsibilities and Reporting Requirements  
Rural Outreach Initiative

NOTE: ORATOR TYPE DENOTES STATUTORY LANGUAGE

AUTHORITY: Implementing and authorized by Sections 1700, 1701, 1705 and 1900 of the Unemployment Insurance Act (Ill. Rev. Stat. 1991, ch. 48, pars. 610, 611, 615 and 640) [820 ILCS 405/1700, 1701, 1705 and 1900]; Implementing and authorized by the Veterans Employment Act (Ill. Rev. Stat. 1991, ch. 126 1/2, pars. 201-207) [330 ILCS 25/1-25/7].

SOURCE: Illinois Department of Labor, Bureau of Employment Security, Regulation 31, filed as amended June 23, 1977, effective July 3, 1977; rule repealed by operation of law October 1, 1984; new rule adopted at 9 Ill. Reg. 15878, effective October 8, 1985; amended at 12 Ill. Reg. 13596, effective August 5, 1988; amended at 13 Ill. Reg. 5940, effective April 18, 1989; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

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SUBPART C: VETERANS EMPLOYMENT ACT PROGRAMSection 2960.210Definitions

"Community Non-Profit Agency or Organization" means a local agency or organization which is registered as a non-profit corporation with the Secretary of State and/or has been granted non-profit status by the United States Internal Revenue Service.

"Department" means the Illinois Department of Employment Security.

"Director" means the Director of the Illinois Department of Employment Security.

"Matching Funds" means cash expenditures, commodities, supplies, equipment, rents or leases calculated at fair market value. Volunteer services may be used as matching funds equal to the value of the services of paid employees.

"Veteran" means any honorably discharged veteran of the United States Armed Forces.

Section 2960.220Designation of Multi-Purpose Service Centers

- a) The Director shall designate multi-purpose service centers to provide job training, counseling, and placement services in the designated areas on the basis of applications from interested community non-profit agencies or organizations.
- b) Applications must be submitted to the Director on forms provided by the Department. These forms will be available to interested parties no later than April 1 of each year. Forms may be obtained by writing or calling the Department. Completed forms must be delivered in person to the Department or postmarked no later than May 15th of each year. Applicants chosen to be designated as multi-purpose service centers will be notified in writing by August 1. Applicant not chosen will also be notified in writing by August 1.
- c) The Director shall make the designations based on a thorough review of all applications submitted. The application forms will contain the information neces-

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sary to evaluate the criteria listed below. Each applicant must document designation as a non-profit organization by the Secretary of State and/or the Internal Revenue Service to be an eligible applicant. Eligible applicants will be judged relative to all other applicants received. All criteria will be weighted equally. The evaluation criteria are:

- 1) The extent to which the applicant has experience providing social services.
- 2) The overall quality of the program that the applicant proposes to deliver the required services. This will be judged by comparing the narrative program descriptions of each applicant. This narrative must include such information as location of the service center, estimated number of veterans to be served, services to be delivered and means of delivery.
- 3) The extent to which the applicant demonstrates the availability of local resources to assist in implementing and continuing the program. This will be judged by the amount of resources, cash and in-kind, budgeted by the applicant to supplement the funds requested under the Veterans' Employment Act. This information will be required in the proposed budget section of this application form.
- d) Designation will be valid for one year only. Designated centers will be required to re-apply each year in accordance with subsections (a), (b), and (c).

Section 2960.230Target Groups

The multi-purpose service centers must make services available to all eligible veterans. All recipients must be honorably discharged veterans of the United States Armed Forces.

Section 2960.240Program Funding

- a) The Director will enter into a grant agreement with each of the community non-profit agencies or organizations designated to serve as a multi-purpose service center. These agreements will identify the parties and enumerate all of the rights and responsibilities of each party exactly as stated in



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Section 2960.250 of this Part. The term of the agreement will be that of the state fiscal year, July 1 to June 30.

- b) Funds will be provided by the Department from those monies appropriated by the General Assembly for this purpose. Program operations must begin within thirty days of the signing of the agreement.
- c) Each agreement will enumerate the scope of the services required to be provided by the multi-purpose service center. The agreement must also describe in detail how each service will be delivered.
- d) Each local agency is required by the Act to provide matching funds of not less than 5% of the contract amount (Ill. Rev. Stat. 1991, ch.126 1/2, par. 207(b) [330 ILCS 25/7(b)]).
- e) To the extent possible, supervisory, technical and administrative positions relating to the local program shall be filled by veterans (Ill. Rev. Stat. 1991, ch. 126 1/2, par. 206(c) [330 ILCS 25/7(b)]).

Section 2960.250 Responsibilities and Reporting Requirements

- a) Once the Director and each designated community non-profit agency or organization have agreed upon the amount necessary to operate the multi-purpose service center and signed the grant agreement, the Director will make available ten percent (10%) of that amount to start up and begin operations. Subsequent to that, the local agency will submit to the Director at the end of the month a complete accounting all expenses incurred in that month. The Department will reimburse budgeted expenses as incurred.
- b) Allowable start-up costs will be those for: personal and fringe benefits; travel; office equipment and supplies; office rent; postage; telephone, printing; and contractual expenses for professional services. Procurement of supplies and equipment with state funds must be done in accordance with the state statutes and the rules of the Department of Central Management Services. Unspent state funds shall be maintained in accounts covered under Federal Depositors Insurance Corporation or Federal Savings and Loan Insurance Corporation agreements.
- c) Travel expenses will be reimbursed in accordance with the latest Department of Central Management Services Travel

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Regulations (80 Ill. Adm. Code 2800).

- d) The grantee shall keep records which detail the grantee's expenditure summaries submitted pursuant to subsection (a). All financial records must be kept according to the Accounting Standards of the Financial Accounting Standards Board of the American Institute of Certified Public Accountants (June 1984). An annual audit of grant funds shall be conducted by the Department. All grantee records which reflect the actual activities conducted and the actual costs and expenses incurred by the grantees will be subject to an audit at any time by the Department's internal auditor.
- e) Each local agency will also submit an annual report to the Director following completion of the fiscal year, June 30. This report shall include evaluations of the effectiveness of the job training, placement and services programs to veterans including the number of persons served by the various service programs, and estimates of the cost effectiveness of the various components of the center. This report must be submitted no later than July 31 of each year (Ill. Rev. Stat., ch. 126 1/2, par. 206(d) [330 ILCS 25/7(b)]).

Section 2960.260 Rural Outreach Initiative

- a) Applicants proposing to serve areas outside of Cook County shall include as a part of their applications, a plan for a Rural Outreach Initiative. This Plan should specify the means by which the applicant proposes to insure the delivery of services to veterans in rural areas who would not otherwise have access to the program.
- b) Each Rural Initiative Plan will be evaluated by the Department to assure that it is sufficient to meet the need of the rural areas involved. The criteria consist of:
  - 1) Whether the plan includes an analysis of the population and problems (e.g., number of veterans, unemployment rate, particular circumstances such as plant closings, etc.) involved in the area.
  - 2) Whether the proposed budget can realistically result in the delivery of the services described in the plan.

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1) Heading of the Part: Notices, Records, Reports

2) Code Citation: 56 Ill. Adm. Code 2760

3) Section Number: Proposed Action:

2760.120 Amended Section

2760.125 Amended Section

2760.140 Amended Section

2760.150 Amended Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 48, pars. 314, 344, 370, 380, 382, 450, 550, 551, 552, 554, 555, 610, 611, 616, 630, 631, 681 and 688 [820 ILCS 405/204, 234, 245, 300, 302, 700, 1400, 1401, 1402, 1404, 1405, 1507, 1700, 1701, 1706, 1800, 1801, 2201 and 2208].

5) A Complete Description of the Subjects and Issues Involved:  
This proposed amendment to Section 2760.140 is intended to limit the scope of mandatory electronic reporting to the employer which had 250 or more workers in its employ during the preceding calendar year only (currently, the rule provides for current or preceding year). The amendment also pushes the effective date back to 1995 and allows newly subject employers to request a two quarter deferral before being required to comply.

The changes to Section 2760.120 are intended to ease administrative processing by requiring an employer which, during a quarter, files for bankruptcy or transfers substantially all of the employing enterprise to file a separate quarterly contribution and wage report for the period before and for the period after the filing or the transfer. The other changes are merely technical.

6) Will the proposed amendment replace an emergency amendment currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed amendment contain an incorporation by reference pursuant to Section 6.02 of the Illinois Administrative Procedure Act? No.

9) Are there any other proposed amendments pending on this Part? No.

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10) Statement of Statewide Policy Objective? Not Applicable.

11) Time, Place and Manner in which interested persons may comment on this Proposed Rulemaking: All persons who submit a request to comment regarding this proposed amendment within 20 days after this notice has been published in the ILLINOIS REGISTER will be given a reasonable opportunity to submit data, views, arguments or comments. The request shall be addressed to:

Gregory J. Ramel, Deputy Legal Counsel  
Illinois Department of Employment Security  
401 South State Street - 2nd Floor South  
Chicago, IL 60605  
312-793-4240

12) Initial Regulatory Flexibility Analysis:

Date rules were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 7, 1994.

Types of small businesses affected: The rule affects all businesses.

Reporting, bookkeeping or other procedures required for compliance: None.

Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendments begins on the next page:

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TITLE 56: LABOR AND EMPLOYMENT  
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY  
SUBCHAPTER c: RIGHTS AND DUTIES OF EMPLOYERS

## PART 2760

## NOTICES, RECORDS, REPORTS

## SUBPART A: GENERAL OBLIGATIONS

## Section

2760.1 Posting And Maintaining Notices  
2760.5 Identification Of Workers Covered By The Act  
2760.10 Filing By Mail

## SUBPART B: REPORTS AND RECORDS

2760.100 Reports  
2760.105 Reports Of Employing Units As To Their Status  
2760.110 Employing Unit Terminating Business  
2760.115 Records With Respect To Employment  
2760.120 Employer's Contribution Report  
2760.125 Employer's Wage Report  
2760.126 Wage Report Filing Extension Due To Flooding  
2760.127 Temporary Waiver Of The Requirement For The Use Of  
2760.128 Electronic Data Processing Media For Quarterly Reporting  
2760.130 Reporting "Excess" Wages  
2760.135 Remittance Of Contributions Due And Use Of Transmittal Form  
2760.140 Use Of Electronic Data Processing Media For Quarterly Reporting  
2760.145 Correcting The "Employer's Contribution And Wage Report"  
2760.150 Consequences Of An Error In The Preparation Of The "Employer's Contribution And Wage Report"

AUTHORITY: Implementing and authorized by Sections 204, 234, 245, 300, 302, 700, 1400, 1401, 1402, 1404, 1405, 1507, 1700, 1701, 1706, 1800, 1801, 2201 and 2208 of the Unemployment Insurance Act (Ill. Rev. Stat. 1991, ch. 48, pars. 314, 344, 370, 380, 382, 450, 550, 551, 552, 554, 555, 577, 610, 611, 616, 630, 631, 681 and 688 [820 ILCS 405/204, 234, 245, 300, 302, 700, 1400, 1401, 1402, 1404, 1405, 1507, 1700, 1701, 1706, 1800, 1801, 2201 and 2208].

SOURCE: Department of Labor, Bureau of Employment Security Regulations 4, 7 and 8, filed as amended May 3, 1977, effective May 13, 1977; Regulation 11 filed as amended May 4, 1977, effective May 14, 1977; Regulations 5 and 32 filed as amended June 23, 1977,

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effective July 3, 1977; Regulations 6 and 12 filed as amended September 12, 1977, effective September 12, 1977; rules repealed by operation of law on October 1, 1984; new rules adopted at 10 Ill. Reg. 6939, effective April 15, 1986; emergency amendment at 12 Ill. Reg. 222, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 13604, effective August 4, 1988; amended at 12 Ill. Reg. 16070, effective September 23, 1988; amended at 16 Ill. Reg. 3993, effective February 27, 1992; emergency amendment at 17 Ill. Reg. 13798, effective August 4, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 261, effective December 27, 1993; emergency amendment at 18 Ill. Reg. 2631, effective February 3, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_, 1994.

## SUBPART B: REPORTS AND RECORDS

## Section 2760.120 Employer's Contribution Report

a) Each quarter the agency shall provide each employer subject to the Unemployment Insurance Act, including employers electing to make payments in lieu of paying contributions under Sections 1404, 1405 or 302 of the Act (Ill. Rev. Stat. 198991, ch. 48, pars. 554, 555, 382) [820 ILCS 405/1404, 1405, 302], with a preprinted packet which includes a form, "Employer's Contribution and Wage Report", or with respect to employers subject to Section 2760.140, a form "Quarterly Electro-Magnetic Filing Notice", in part, for filing its quarterly unemployment insurance contribution report. Subject to the provisions of Section 2760.140 of this Part, unless the employer was held subject to the Act within the one year period prior to the due date of this form and had not yet been assigned an Illinois account number, the employer must use the left side of the preprinted form provided for filing its report. Except as provided in the previous sentence, the use of a blank (not preprinted for the employer) form will be considered an incomplete submission and be returned to the employer for resubmission. Replacement preprinted forms are available upon request (see Section 2760.125(a) (4) for extensions of the time for filing).

1) In the event that employer files a petition in bankruptcy under the Bankruptcy Code (Title 11, U.S.C.), the employer shall file two "Employer's Contribution and Wage Reports" for the quarter in which the petition is filed. One report shall address the period beginning on the first day of the quarter to, and including, the day prior to the



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date of the filing of the petition. The other report shall address the period beginning on the date of the filing of the petition to, and including, the last day of the calendar quarter.

Example: Corporation A files a petition in bankruptcy on August 15, 1994. Corporation A is required to file two "Employer's Contribution and Wage Reports" for the third quarter of 1994, both due October 31, 1994. One will cover the period to and including August 14, 1994, and Corporation A will calculate contributions due for that period. The other report will cover the period beginning August 15, 1994, to and including September 30, 1994, and will reflect the contributions due for that period.

2)

In the event that an employer transfers substantially all of its employing enterprises to another employing unit but continues to be a liable employer, the employer shall file two "Employer's Contribution and Wage Reports" for the calendar quarter in which the transfer occurs. One report shall address the period beginning on the first day of the quarter to, and including, the date of transfer. The other report shall address the period beginning on the first day after the date of transfer to, and including, the last day of the calendar quarter.

Example: On August 15, 1994, Corporation A, which owns a retail establishment, the XYZ Store, sells the entire business, except the name "XYZ Store" to Corporation B. The officers of Corporation A continue to perform services and are paid wages after the transfer. Corporation A is required to file two "Employer's Contribution and Wage Reports" for the third quarter of 1994, both due October 31, 1994. One will cover the period to, and including August 15, 1994, and Corporation A will calculate contributions due for that period. The other report will cover the beginning August 16, 1994, to, and, including, September 30, 1994, and will reflect the contributions due for that period.

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3) The employer may obtain a second imprinted "Employer's Contribution and Wage Report" form upon request (see Section 2760.125(a)(4) for extensions of time for filing).

4) In the event the employer files only one report for a quarter for which two reports are required under paragraph (1) or (2) and provides the total and taxable wages for the entire quarter in the report, the report will be deemed to be insufficient as provided in Section 1402. The employer must file within 30 days of the mailing of a notice to it of insufficiency, the two reports as required in either paragraph (1) or (2) as applicable, or the penalties provided in Section 1402 shall apply.

5) Except as otherwise provided in this paragraph, the penalties provided for in Section 1402 of the Act regarding each report required under paragraph (1) or (2) shall be calculated on the basis of the total wages paid and contributions due for the period to which that report applies. Regardless of whether the employer fails to timely file one or both of the reports, the total penalty for such failure shall not exceed \$5,000 and the minimum penalty for such failure shall be \$50.00. The minimum penalty for willful failure to pay any contribution, or part thereof, with intent to defraud the Director, shall be \$400, regardless of whether the employer fails to make such payment for both or only one of the periods.

Example: An employer timely files his report representing the part of the quarter prior to the date of filing of the petition in bankruptcy. He is late in filing his report for the part of the quarter including the date the petition is filed. The penalty will be calculated only on the amount of wages paid as reflected in the report for the period including the date the petition in bankruptcy is filed.

b) In addition to the identifying information on the "Employer's Contribution and Wage Report", the employer must provide the total wages paid during the quarter, the taxable wages paid during the quarter and the number

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of employees during the pay period which includes the 12th day of each month of that quarter. For purposes of this subsection, where an employer is required to file two reports pursuant to paragraph (1) or (2) of subsection (a), "quarter" shall mean the period required to be addressed by the report.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
Section 2760.125 Employer's Wage Report

## a) Filing Wage Reports

- 1) Every employer subject to the Unemployment Insurance Act, including employers electing to make payments in lieu of paying contributions under Sections 1404, 1405 or 302 of the Act (Ill. Rev. Stat. 198991, ch. 48, pars. 554, 555, 382) [820 ILCS 405/1404, 1405, 302], shall file a report, or reports if so required under Section 2760.120(a)(1) or (2), each calendar quarter, listing the name and Social Security Account Number of each covered worker and, except as provided in Section 2760.130 of this Part, the total wages paid to each worker. Except as provided in Section 2760.140, the report(s) shall be made on the right side of a form(s) designated "Employer's Contribution and Wage Report," which is a part of a preprinted packet provided each quarter by the agency to every employer subject to the Unemployment Insurance Act and shall be filed on or before the last day of the calendar month next following the close of the calendar quarter.

- 2) Commencing with the quarter in which when an employing unit becomes an employer, including employers electing to make payments in lieu of paying contributions under Sections 1404, 1405 and 302 of the Act (Ill. Rev. Stat. 198991, ch. 48, pars. 554, 555, 382) [820 ILCS 405/1404, 1405, 302], it shall file the form designated by the Director as "Employer's Contribution and Wage Report" (listing thereon the information required by subsection (a)(1)), with respect to each calendar quarter beginning with the calendar quarter-as-of-which-it-became-for which it is considered to be an employer. The reports due under this subsection shall be filed on or before

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whichever of the following dates is later:

- A) The thirtieth day following the date upon which the form designated by the Director as "Employer's Contribution and Wage Report" is mailed to the employing unit for completion; or,
  - B) The last day of the calendar month next following the calendar quarter in which such employing unit becomes an employer.
- 3) The information with respect to each worker required by subsection (a)(1), may be submitted on a form other than that designated by the Director as "Employer's Contribution and Wage Report", provided that the Director has approved the use of such substitute form. The Director will approve such substitute form if it provides the same information in the same format on the same size paper.
  - 4) Upon written request filed with the Director prior to the due date of the report, the Director shall, for any reasonable cause shown, grant in writing an extension of a maximum of 30 days for the filing of any report required under subsection (a)(1) or (a)(2). A reasonable cause is when employers an employer cannot meet a due date through no fault of its own or because of circumstances beyond its control.
  - A) Such request shall make a full explanation of the reasons for the request and shall state the date to which the extension is desired.
  - B) If an employer which has been granted an extension of time pursuant to this subsection fails to file the report on or before the extended due date, the penalty referred to in subsection (b) shall accrue from the original due date as if no extension had been granted.
  - b) Any employer, including an employer electing to make payments in lieu of paying contributions under Sections 1404, 1405 or 302 of the Act (Ill. Rev. Stat. 198991, ch. 48, pars. 554, 555, 382) [820 ILCS 405/1404, 1405, 302], which, during any calendar quarter, has paid wages



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to any of its workers, and which fails to file a report(s) of such wages on or before the date it is due under the provisions of this Section shall pay penalties as set forth in Section 1402 of the Act (Ill. Rev. Stat. 1989-91, ch. 48, par. 552) [820 ILCS 405/1402] and 56 Ill. Adm. Code 2765, codified thereunder.

- c) An extension in the period of time for filing a wage report does not extend the deadline for making payment of any required contributions.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 2760.140 Use Of Electronic Data Processing Media For Quarterly Reporting

- a) Except as provided in subsections (g) and (h), effective with the reports due for the first quarter of 1994, the reports required by Sections 2760.120 and 2760.125 must be filed by the use of an electronic data processing medium which meets the approval of the Director. The Director shall approve the use of electronic data processing media for reporting if he finds that:

- 1) All of the data required on the forms provided by the Director for quarterly reporting are also provided by the employer in the same format on the electronic data processing medium; and,
  - 2) The employer's electronically data processed reports are compatible and readable by the electronic data processing equipment used by the Director without the need for any programming adjustment by the Director.
- b) Subsection (a) shall only apply to an employer for a calendar year if, on the first day of such calendar year, the employer reasonably expects to have 250 or more individuals in its employ (though not necessarily at the same time) during the year or the employer had 250 or more individuals in its employ (though not necessarily at the same time) during the prior calendar year.

Example: During 1993, the employer has no more than 225 individuals in its employ at any one

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time. However, during the year, 25 of these individuals leave the employ of the employer and are replaced by 25 other individuals. Though the employer's labor force never exceeds 225 individuals at any one time, the employer had 250 individuals in its employ during 1993 and, therefore, is subject to subsection (a) for 1994.

- c) Except as otherwise provided for in this subsection, the failure of an employer which is subject to subsection (a) to report in the manner required by that subsection shall subject the employer to the penalties set forth in Section 1402 of the Act. The Director shall, without further action by the employer being required, find good cause for the waiver of penalty, for any quarter in 1994 only, where an employer subject to the mandatory electronic reporting requirements of this Section files its reports for that quarter in compliance with Sections 2760.120 and 2760.125.

- d) Where not required by subsection (a), the reports required by Sections 2760.120 and 2760.125 may be made by the use of an electronic data processing medium which meets the prior written approval of the Director. The Director shall approve the use of an electronic data processing medium for reporting if it meets the requirements of subsections (a)(1) and (a)(2) and if the employer agrees to file both reports by the use of an electronic data processing medium.

- e) Any employer which was authorized by the Director, before the effective date of this amended Section December 27, 1993, to submit both of its quarterly reports on an electronic data processing medium may continue to do so without further approval by the Director, on the condition that the medium continues to meet the requirements of subsections (a)(1) and (a)(2). Such employer is, however, subject to the requirements of subsection (f) of this Section.

- f) The first report submitted electronically pursuant to this Section for any calendar year must be accompanied by a certification, on a form provided for this purpose by the Director, signed by the owner, partner or authorized officer or official, that the information submitted is true and correct to the best of his knowledge and belief and that no part of the



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contribution reported was or is to be deducted from the worker's wages.

- g) The Director shall waive the reporting requirements of this Section for any employer which has been granted a waiver of the electronic reporting requirements of Internal Revenue Service Procedure 91-33. If the waiver granted by the Commissioner of the Internal Revenue Service covers a period other than a calendar year, the Director shall waive the reporting requirements of this Section for the calendar year or years of which the Internal Revenue Service's waiver covers a portion.

Example: The Commissioner of the Internal Revenue Service waives the reporting requirements of Internal Revenue Service Procedure 91-33 for an employer for the period from July 1, 1994 through June 30, 1995. The Director shall waive the reporting requirements of this Section for both calendar years 1994 and 1995.

- h) Where an employer was not subject to the mandatory electronic reporting requirements of this Section for any quarter of the prior calendar year but is subject to those requirements for the current calendar year, the employer may, for the first and second quarters of the current calendar year, file its quarterly reports in compliance with Sections 2760.120 and 2760.125.

Example: The employer had, in total, 240 individuals in its employ during calendar year 1993. In calendar year 1994, the employer had, in total, 260 individuals in its employ. The employer will not be required to report electronically for the first or second quarter of calendar year 1995 but will be required to report electronically for at least the third and fourth quarters of that year.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 2760.150 Consequences Of An Error In The Preparation Of The "Employer's Contribution And Wage Report"

- a) If an error in the preparation of the "Employer's Contribution and Wage Report" results in an underreporting of contributions due, the employer shall

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be liable for the delinquent contributions plus interest, calculated in accordance with Section 1401 of the Act (Ill. Rev. Stat. 198991, ch. 48, par. 551) [820 ILCS 405/1401, from the date that the original report was due.

- b) Except as provided in subsection (c), if an error in the preparation of the "Employer's Contribution and Wage Report" resulted in an overpayment of contributions, the employer may file a claim for an adjustment-credit or refund. Such claim must be filed within the period provided in Section 2201 of the Act (Ill. Rev. Stat. 198991, ch. 48, par. 681) [820 ILCS 405/2201]. Such request shall be filed on a form entitled "Employer's Claim for Adjustment/Refund." Such forms may be obtained by writing to the Department of Employment Security, Revenue Division, 401 South State Street, Chicago, IL 60605. On the form the employer must provide certain identifying information, its computation of the amount of its claim and the basis for the claim. This form must be signed by the owner, a partner, an officer of a corporation or its authorized agent, who states that the information contained in the form is true and correct to the best knowledge and belief of the signer.

- c) In the event that the employer is mailed a Statement of Account which indicates that the employer's account has a credit balance and the employer wishes to obtain a cash refund, the employer may file for such refund within the period provided in Section 2201, on the form "Employer Request for Refund--Statement of Account." Such form will be attached to the Statement of Account and may otherwise be obtained and shall be completed in the same manner as provided in subsection (b).

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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1) Heading of the Part: Payment Of Unemployment Contributions, Interest And Penalties

2) Code Citation: 56 Ill. Adm. Code 2765

3) Section Number:  
2765.44 Proposed Action:  
2765.45 New Section  
2765.68 Amended Section  
Amended Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 48, pars. 322, 382, 420, 431, 432, 433, 442, 451, 550, 551, 552, 553, 554, 555, 572.1, 573, 578, 579, 610, 611 and 750 [820 ILCS 405/212, 405/302, 405/500, 405/601, 405/602, 405/603, 405/612, 405/701, 405/1400, 405/1401, 405/1402, 405/1403, 405/1404, 405/1405, 405/1502.1, 405/1503, 405/1507, 405/1508, 405/1509, 405/1700, 405/1701, 405/2201, 405/2201.1 and 405/2600].

5) A Complete Description of the Subjects and Issues Involved:  
The new section provides for a \$20 fee when contributions, penalties or interest are paid with an NSF check. Section 2765.45 sets forth the application of payments and Section 2765.68 now sets forth when penalties are applied in situations where the employer file two wage and contribution reports in a single quarter (see Section 2760.120).

6) Will the proposed amendment replace an emergency amendment currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed amendment contain an incorporation by reference pursuant to Section 6.02 of the Illinois Administrative Procedure Act? No.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objective? Not Applicable.

11) Time, Place and Manner in which interested persons may comment on this Proposed Rulemaking: All persons who submit a request to comment regarding this proposed amendment within 20 days after this notice has been published in the ILLINOIS REGISTER will be given a reasonable opportunity to submit data, views, arguments or comments. The request shall be addressed to:

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT(S)

Gregory J. Ramel, Deputy Legal Counsel  
Illinois Department of Employment Security  
401 South State Street - 2nd Floor South  
Chicago, IL 60605  
312-793-4240

12) Initial Regulatory Flexibility Analysis:

Date rules were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 7, 1994.

Types of small businesses affected: Affects all businesses in the same manner.

Reporting, bookkeeping or other procedures required for compliance: None.

Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendments begins on the next page:

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT (S)

TITLE 56: LABOR AND EMPLOYMENT  
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY  
SUBCHAPTER c: RIGHTS AND DUTIES OF EMPLOYERS

## PART 2765

## PAYMENT OF UNEMPLOYMENT CONTRIBUTIONS, INTEREST AND PENALTIES

## SUBPART A: GENERAL PROVISIONS

Section	Unemployment Contributions Not Deductible From Wages
2765.1	Definitions
2765.5	Payment Of Contributions
2765.10	Liability For The Entire Year
2765.15	Liability Of A Third Party Purchaser Or Transferee For
2765.18	The Due And Unpaid Contributions, Interest And Penalties
	Of The Seller Or Transferor's Seller or Transferor
2765.20	Contributions Of Employers By Election
2765.25	Payments In Lieu Of Contributions
2765.30	When Payments In Lieu Of Contributions Payable
2765.35	Payments When Reimbursable Employer Becomes Contributory
2765.40	Payments When Contributory Employer Becomes Reimbursable
2765.44	<u>Fee For Not Sufficient Funds (NSF) Checks</u>
2765.45	Application Of Payment
2765.50	Accrual Of Interest
2765.55	Imposition Of Penalty
2765.60	Payment Or Filing By Mail
2765.63	When Payment Due And Consequences Of Upward Revision In
	Employer's Contribution Rate
2765.64	Consequences Where An Employee Leasing Company Has
	Erroneously Reported Wages And Paid Contributions Which
	Wages Should Have Been Reported And Contributions Paid
	By Its Client
2765.65	Waiver Of Interest Or Penalty
2765.66	Waiver Of Interest Accruing Because Of Certain Types Of
	Employees For Periods Prior To January 1, 1988
2765.67	Partial Waiver Of Interest Where An Employer Has
	Erroneously Reported Wages To The Wrong State
2765.68	Waiver Of Penalty For Certain Employers For 1987 And
	Thereafter Wage Reports
2765.69	Partial Waiver Of Interest Where An Employer Has
	Erroneously Paid Its Federal Unemployment Tax Act (FUTA)
	Tax In Full But Has Failed To Pay Its Illinois
	Unemployment Insurance Contributions
2765.70	Waiver Of Interest For Certain Nonprofit Organizations
	or Local Governmental Entities

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT (S)

2765.71	Waiver Of Interest Accruing Due To A Delay In The
	Issuance Of A Decision On A Protested Determination And
	Assessment
2765.72	Waiver Of Interest For Contribution Payments Late Due To
EMERGENCY	Flooding
2765.74	Time For Paying Or Filing Delayed Payment Or Report
2765.75	Application For Waiver
2765.80	Approval Of Application For Waiver
2765.85	Insufficient Or Incomplete Application.
2765.90	Disapproval Of Application Conclusive
2765.95	Appeal And Hearing

## SUBPART B: EXPERIENCE RATING

2765.200	Effect Of A Successor Employing Unit's Failure To Notify
	The Director Of Its Succession
2765.210	Prohibition On Withdrawal Of Joint Application For
	Partial Transfer Of Experience Rating Record
2765.220	Determination Of Benefit Wage And Benefit Ratio
2765.225	Requirement For Privity In Order To Have A Predecessor
	Successor Relationship
2765.228	No Requirement For Continuous Operation In Order For A
	Predecessor Successor Relationship To Exist
2765.230	Effect Of A Transfer Of Physical Assets On A Finding
	That A Predecessor Successor Relationship Exists

## SUBPART C: BENEFIT CHARGES

2765.325	Application Of "30 Day" Requirement For Determining The
	Chargeable Employer Pursuant To Section 1502.1 Of The
	Act
2765.326	Requirement For A Separation Or A Reduction In The Work
	Offered In Determining The Chargeable Employer Pursuant
	To Section 1502.1 Of The Act
2765.328	What Constitutes A Day For Purposes Of The "30 Day"
	Requirement In Section 1502.1 Of The Act
2765.329	Application Of "30 Day" Requirement For Determining The
	Chargeable Employer Pursuant To Section 1502.1 Of The
	Act For Benefit Years Beginning On Or After January 1,
	1993
2765.330	Chargeability Where The Individual Is Discharged As A
	Result Of His Incarceration
2765.332	Effect Of Ineligibility Under Section 602(B) On
	Chargeability Under Section 1502.1 Of The Act
2765.333	Effect Of Ineligibility Under Section 612 On Charge-
	ability Under Section 1502.1 Of The Act
2765.334	Effect Of Ineligibility Under Section 614 On Charge-
	ability Under Section 1502.1 Of The Act
2765.335	Procedural Requirements And Right Of Appeal



## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT (1)

**AUTHORITY:** Implementing and authorized by Sections 212, 302, 500, 601, 602, 603, 612, 701, 1400, 1401, 1402, 1403, 1404, 1405, 1502.1, 1503, 1507, 1508, 1509, 1700, 1701, 2201.1 and 2600 of the Unemployment Insurance Act, as amended by P. A. 87-1178, effective September 22, 1992 (Ill. Rev. Stat. 1991, ch. 48, pars. 322, 382, 420, 431, 432, 433, 442, 451, 550, 551, 552, 553, 554, 555, 572.1, 573, 577, 578, 579, 610, 611, 681, 681.1 and 750) [820 ILCS 405/212, 302, 500, 601, 602, 603, 612, 701, 1400, 1401, 1402, 1403, 1404, 1405, 1502.1, 1503, 1507, 1508, 1509, 1700, 1701, 2201, 2201.1 and 2600].

**SOURCE:** Adopted at 6 Ill. Reg. 3863, effective March 31, 1982; amended at 7 Ill. Reg. 13266, effective September 28, 1983; recodified at 8 Ill. Reg. 15027; amended at 11 Ill. Reg. 3972, effective February 23, 1987; amended at 11 Ill. Reg. 11743, effective June 26, 1987; amended at 11 Ill. Reg. 12882, effective July 22, 1987; emergency amendments at 12 Ill. Reg. 225, effective January 1, 1988, for a maximum of 150 days, expired May 30, 1988; amended at 12 Ill. Reg. 11740, effective July 5, 1988; amended at 12 Ill. Reg. 17342, effective October 12, 1988; amended at 12 Ill. Reg. 20484, effective November 28, 1988; emergency amendments at 13 Ill. Reg. 11911, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 17410, effective October 30, 1989; amended at 14 Ill. Reg. 6218, effective April 16, 1990; amended at 14 Ill. Reg. 19886, effective November 29, 1990; amended at 15 Ill. Reg. 185, effective December 28, 1990; amended at 15 Ill. Reg. 11122, effective July 19, 1991; amended at 16 Ill. Reg. 2131, effective January 27, 1992; 16 Ill. Reg. 12165, effective July 20, 1992; amended at 17 Ill. Reg. 308, effective December 28, 1992; amended at 17 Ill. Reg. 614, effective January 4, 1993; emergency amendment at 17 Ill. Reg. 13801, effective August 20, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_, 1994.

## SUBPART A: GENERAL PROVISIONS

Section 2765.44 Fee For Not Sufficient Funds (NSF) Checks

An employer that attempts to pay amounts due under this Part with a check returned to the Department because of insufficient funds (NSF) in its bank account to cover the amount of the check will be charged a fee of \$20.00.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT(S)

Section 2765.45 Application of Payment

- a) When the employer makes a payment, and it is accompanied by a letter, Employer's Contribution Report or a Statement of Account, the money received shall be applied to the quarter or quarters indicated by such employer.
- b) If no designation is made for the application of the remittance, or if the payment received is more than sufficient to cover the quarter to which it applies, the remittance or the excess shall be applied to the penalties, interest and unemployment contributions, in that order, beginning with the oldest or earliest unpaid quarters of the employer, if any.
- c) The application of remittance within a quarter is not subject to designation. Except for the second quarter of 1991, when payment must first be applied to the Temporary Administrative Funding required by Section 1506.3B of the Act, all remittance shall be applied first to the NSF fee provided by Section 2765.44 of this Part, then to the penalties, interest and unemployment contributions, in that order.

Example: An employer owes \$200 in contributions and \$50 in interest for the first quarter of 1993. The employer remits \$100 and asks that it be credited to the unpaid contributions due for the first quarter of 1993. \$50 will be credited to the accrued interest for the first quarter of 1993, and \$50 will be credited to the unpaid contributions due for the first quarter of 1993.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 2765.68 Waiver Of Penalty For Certain Employers For 1987 And Thereafter Wage Reports

- a) Notwithstanding any other provisions of this Part to the contrary, the Director shall waive the reporting penalty provided in Section 1402 of the Act for 1987 and for any calendar year thereafter, if the employer, within 30 working days of the date of mailing of the notice from the Agency that its report is delinquent, shows that:

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT (c)

- 1) The total amount of contributions due for the calendar quarter of such report is less than \$500; and

Example: Employer A is required to file two reports for a quarter pursuant to 56 Ill. Adm. Code 2760.120. The total amount of contributions attributable to the first report is \$400. The total amount of contributions attributable to the second report is \$200. Employer A will not be entitled to waiver of penalty under this Section with respect to either report because the total amount of contributions due for the quarter is more than \$500.

- 2) This delinquent report is the employer's first such late report during the last 20 calendar quarters, including such quarters during which the employer was not required to file reports under the Act.

- b) The employer's application for this waiver shall be made in the form provided in Section 2765.15, except that it need not be sworn and instead of stating the "good cause applicable," the employer shall state that it met the requirements of subsections (a)(1) and (2). In support of its statement that it met the requirements of subsections (a)(1), the employer shall attach a copy of its Contribution and Wage Report for such calendar quarter.

- c) If the employer is required to file two reports pursuant to 56 Ill. Adm. Code 2760.120 and both reports are filed untimely, for the purposes of subsection (a)(2), both reports will be deemed to be a single delinquent report.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT (S)

- 1) Heading of the Part: Wages
- 2) Code Citation: 56 Ill. Adm. Code 2730
- 3) Section Number: Proposed Action:  
2730.100 Amended Section
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 48, pars. 344, 345, 370, 610 and 611 [820 ILCS 405/234, 405/235, 405/245, 405/1700 and 405/1701].
- 5) A Complete Description of the Subjects and Issues Involved:  
The enclosed amendment to Part 2730 sets forth the Director's interpretation that meals provided for the convenience of the employer do not constitute remuneration for personal services and, therefore, are not wages upon which contributions must be paid. A presumption is created that, when the meal is served at the location where the services are performed, it is presumed that the meal is for the benefit of the employer, and when the meal is served at a location other where the service is performed, it is presumed that the meal is not for the benefit of the employer.
- 6) Will the proposed amendment replace an emergency amendment currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed amendment contain an incorporation by reference pursuant to Section 6.02 of the Illinois Administrative Procedure Act? No.
- 9) Are there any other proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objective? Not Applicable.
- 11) Time, Place and Manner in which interested persons may comment on this Proposed Rulemaking: All persons who submit a request to comment regarding this proposed amendment within 20 days after this notice has been published in the ILLINOIS REGISTER will be given a reasonable opportunity to submit data, views, arguments or comments. The request shall be addressed to:

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT(S)

Gregory J. Ramel, Acting Commissioner  
 Illinois Department of Employment Security  
 401 South State Street - 2nd Floor South  
 Chicago, IL 60605  
 (312)793-4240

12) Initial Regulatory Flexibility Analysis:

Date rules were submitted to the Small Business Office of the Department of Commerce and Community Affairs: June 7, 1994.

Types of small businesses affected: All employers who provide meals to their employees.

Reporting, bookkeeping or other procedures required for compliance: None.

Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendment begins on the next page.

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT(S)

TITLE 56: LABOR AND EMPLOYMENT

CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY

SUBCHAPTER b: COVERAGE OF UNEMPLOYMENT INSURANCE ACT

PART 2730  
 WAGES

## SUBPART B: OTHER REMUNERATION TREATED AS WAGES

## Section

2730.100 Money Value Of Board And Lodging, Etc.

2730.105 Reporting Gratuities

2730.130 Exceptions To Liability Of Certain Third Party Payors For Contributions And Reporting Of Certain Payments On Account Of Sickness And Accident Disability

2730.150 Payments Under A Cafeteria Plan

2730.155 Payments Under A Plan Authorized By Section 401(k) of the Internal Revenue Code of 1986

AUTHORITY: Implementing and authorized by Sections 234, 235, 245, 1700 and 1701 of the Unemployment Insurance Act (Ill. Rev. Stat. 1991, ch. 48, pars. 344, 345, 370, 610 and 611) [820 ILCS 405/234, 405/235, 405/245, 405/1700 and 405/1701].

SOURCE: Illinois Department of Labor, Bureau of Employment Security, Rule 1 filed as amended June 27, 1952, effective July 7, 1952; Regulation 30 filed as amended September 12, 1977, effective September 22, 1977; rules repealed by operation of law October 1, 1984; new rules adopted at 9 Ill. Reg. 18924, effective November 25, 1985; amended at 12 Ill. Reg. 15072, effective September 8, 1988; amended at 15 Ill. Reg. 16964, effective November 12, 1991; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

Note: Orator type will be used to denote statutory language

B: OTHER REMUNERATION TREATED AS WAGES

Section 2730.100 Money Value Of Board And Lodging, Etc.

- a) Except as otherwise provided in this Section, board, board and lodging, lodging or other remuneration in kind received by an individual from his employer for personal services performed by the individual for the employer shall be deemed to be wages paid by the individual's employer. Meals which are given for the convenience of the employer are not remuneration for the performance of personal services and, therefore, are not wages. Meals that are given for the convenience of the employer must be furnished for substantial non-compensatory business.



## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT(S)

reasons rather than as additional compensation to the worker. When the meal is served at the location where the services are performed, it is presumed that the meal is for the benefit of the employer. When the meal is served at a location other where the service is performed, it is presumed that the meal is not for the benefit of the employer.

1) Example: An individual performs services at a restaurant. The employer does not want the worker to bring food from another restaurant to eat at his establishment. Meals are provided to the worker as a convenience for the employer and, therefore, are not remuneration to the worker for his services. Under such circumstances, the value of the meal is not deemed to be wages.

2) An employer provides ambulance services and always needs to have drivers ready for emergencies. Meals are provided at the dispatch terminal so that drivers will always be available. Under such circumstances, the value of the meals are not deemed to be wages.

3) Whenever a worker is required to work past seven o'clock in the evening, the employer reimburses the worker for her dinner. If the worker has the option of leaving the location where the work is performed for dinner, it is presumed that this meal is not for the benefit of the employer.

4) Whenever a worker is required to work past seven o'clock in the evening, the employer orders dinner brought in for the worker. It is presumed that this meal is for the benefit of the employer.

b) The money value of the remuneration in kind received by the individual shall be the fair market value of such remuneration. "Fair market value" is the cash value of the remuneration which would be reached between a willing buyer and a willing seller. The Director has the authority to determine or approve the fair market value of remuneration in kind received by the individual, and this value shall be used in determining the wages paid to the individual and in computing contributions due under the Unemployment Insurance Act (Ill. Rev. Stat. 198391, ch. 48, pars. 300 et seq.) 1820 ILCS 405/1001, hereinafter referred to as "the Act"-under procedures set forth in-56  
Ill.-Adm.-2720.

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT(S)

c) Where a money value for board, lodging, or other remuneration in kind furnished an individual by an employer agreed upon in a contract of hire, this agreed on amount shall be deemed the fair market money value of such remuneration unless this amount is less than the fair market money value specifically determined by the Director under subsection (b).

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances

2) Code Citation: 41 Ill. Adm. Code 170

3) Section Numbers: Proposed Action:

170.10	Amendment
170.20	Repeal
170.40	Repeal
170.41	Repeal
170.50	Repeal
170.60	Repeal
170.65	Repeal
170.70	Repeal
170.71	Repeal
170.72	Repeal
170.76	Repeal
170.90	Repeal
170.100	Repeal
170.105	Repeal
170.106	Repeal
170.107	Repeal
170.108	Repeal
170.110	Repeal
170.400	Amendment
170.410	Amendment
170.411	New Section
170.412	New Section
170.420	Amendment
170.421	New Section
170.422	New Section
170.423	New Section
170.424	New Section
170.425	New Section
170.426	New Section
170.427	New Section
170.430	Amendment
170.431	New Section
170.440	Amendment
170.441	New Section
170.442	New Section
170.450	Amendment
170.460	Amendment
170.470	Amendment
170.480	Amendment
170.481	New Section
170.490	Amendment
170.500	Amendment

## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED AMENDMENTS

170.510	Amendment
170.520	Amendment
170.530	Amendment
170.540	Amendment
170.541	New Section
170.542	New Section
170.543	New Section
170.544	New Section
170.545	New Section
170.550	Amendment
170.560	Amendment
170.570	Amendment
170.580	Amendment
170.590	Amendment
170.600	Amendment
170.610	Amendment
170.620	Amendment
170.630	Amendment
170.640	Amendment
170.650	Amendment
170.660	Amendment
170.670	Amendment
170.671	New Section
170.672	New Section
170.673	New Section
170.700	Repealed, New
170.705	New Section
170.710	New Section
170.720	New Section
170.730	New Section
170.740	New Section
170.750	New Section
170.760	New Section
170.770	New Section
170.780	New Section
170.790	New Section
170.795	New Section
170.800	Amendment
170.810	Amendment
170.820	Amendment
170.830	Amendment
170.850	Amendment
170.860	Repeal
170.890	Amendment
170.900	Amendment
170.910	Amendment
170.920	New Section
170.930	New Section
170.940	New Section

## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED AMENDMENTS

170.1000 New Section  
 170.1100 New Section  
 170.1200 New Section  
 170.1300 New Section  
 Table A Amendment

4) Statutory Authority: 430 ILCS 15/2

5) A Complete Description of the Subjects and Issues Involved:  
 Legislative enactments, Public Acts 85-1059; 87-323; 87-1088; and 88-496, have necessitated the proposed changes to Subparts A and B because they have significantly altered underground storage tank (UST) laws, in particular, those affecting USTs not in operation at any time after January 1, 1974 and heating oil tanks. There are various technical requirements that these regulations have refined and updated. In addition, Subpart E has been proposed to codify the authority of the Office of the State Fire Marshal (OSFM) to certify contractors performing UST activities.

The Division of Petroleum and Chemical Safety of OSFM no longer regulates aboveground storage tanks and to a limited extent now has authority over employees of contractors. These changes are the reason for the proposed alterations in the Administrative Procedure rules of Subpart D.

There are federal financial responsibility requirements (in addition to the technical requirements) the Office of the State Fire Marshal had adopted by incorporation by reference to the federal code. Since then, State laws have altered those requirements; Subpart C reflects the changes.

6) Will this proposed rule replace an emergency rule currently in effect?  
 No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rulemaking contain incorporations by reference? Yes  
 These incorporations do not require JCAR approval.

9) Are there any other proposed amendments pending on this Part? Yes

10) Statement of Statewide Policy Objectives: N/A

11) Time, Place and Manner in which interested person may comment on this proposed rulemaking: The Office of the State Fire Marshal will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should be addressed to:

James I. McCaslin, Director

## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED AMENDMENTS

Division of Petroleum and Chemical Safety  
 Office of the State Fire Marshal  
 1035 Stevenson Drive  
 Springfield, Illinois 62703-4259  
 Telephone: (217) 785-1020 or (217) 785-5878

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 14, 1994
- B) Types of small businesses affected: This rulemaking affects small businesses that operate underground storage tanks containing petroleum or hazardous substances. Also, this rulemaking contains registration and certification requirements of contractors that are small businesses.
- C) Reporting, bookkeeping or other procedures required for compliance: This rulemaking requires a moderate amount of reporting and record retention.
- D) Types of professional skills necessary for compliance: Only certified contractors may obtain the necessary permits to perform underground storage tank activities, and to be certified the contractors are required to have received a passing grade from the International Fire Code Institute or be certified by the Office of the State Fire Marshal, as applicable.

The full text of the Proposed Rules begins on the next page:



## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED AMENDMENTS

TITLE 41 FIRE PROTECTION  
CHAPTER I: OFFICE OF THE STATE FIRE MARSHAL

## PART 170

STORAGE, TRANSPORTATION, SALE AND USE OF PETROLEUM AND OTHER  
REGULATED SUBSTANCES

## SUBPART A: MISCELLANEOUS

Section	
170.10	Definitions
170.11	Incorporation of National Standards
170.15	Bulk Sales Prohibited
170.20	Storage Underground and Limited <u>(Repealed)</u>
170.30	Setting of Tanks <u>(Repealed)</u>
170.40	Clearance Required for Underground Tanks <u>(Repealed)</u>
170.41	Location <u>(Repealed)</u>
170.50	Material and Construction of Tanks <u>(Repealed)</u>
170.60	Venting of Tanks <u>(Repealed)</u>
170.65	Underground Tank Installations <u>(Repealed)</u>
170.70	Fill Pipes <u>(Repealed)</u>
170.71	Registration of Underground Storage Tanks <u>(Repealed)</u>
170.72	Late Registration Fee <u>(Repealed)</u>
170.75	Abandonment of Underground Storage Tanks <u>(Renumbered)</u>
170.76	Leaking Underground Tanks <u>(Repealed)</u>
170.80	Unloading Operations
170.90	Pumps <u>(Repealed)</u>
170.91	Labeling of Containers and Pumps
170.100	Piping <u>(Repealed)</u>
170.105	Approval of Plans <u>(Repealed)</u>
170.106	Installer, Repairer or Remover of Underground Storage Tanks <u>(Repealed)</u>
170.107	Tester of Underground Storage Tanks and Cathodic Protection <u>(Repealed)</u>
170.108	Pressure Testing <u>(Repealed)</u>
170.110	Building <u>(Repealed)</u>
170.115	Safe Heat Required
170.120	No Flammable or Combustible Liquids Within Building - Exception
170.130	Greasing Pits
170.140	Wash and Greasing Rooms
170.145	Fire Extinguishers
170.150	Self-Service - No Self-Service Without Permit; Procedures and Regulations
170.160	Care and Attendance
170.170	Fire Extinguishers <u>(Repealed)</u>
170.180	Sale of Fireworks
170.190	Approval of Plans <u>(Repealed)</u>
170.200	Defective Equipment
170.210	Deliveries from Portable Tanks Restricted
170.310	Unattended Self-Service Other Than Fleet Operations

## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED AMENDMENTS

## SUBPART B: UNDERGROUND STORAGE TANKS--TECHNICAL REQUIREMENTS

170.400	Definitions
170.410	Incorporations by Reference
170.411	USTs Out of Operation One Year
170.412	Delegation of Authority to Enforce UST Rules and Regulations
170.420	Design, Construction, Installation and Notification of New UST Systems
170.421	Piping
170.422	Clearance Required for Underground Storage Tanks
170.423	Pressure Testing
170.424	Venting of Tanks
170.425	Fill Pipes
170.426	Pumps
170.427	Defective Equipment
170.430	Upgrading of Existing UST Systems
170.431	Limitation on Interior Lining of USTs
170.440	Notification Requirements for Purposes of UST Registration
170.441	Payment of 1988 Annual UST Fee
170.442	UST Registration Fees
170.450	Spill and Overfill Control
170.460	Operation and Maintenance of Corrosion Protection
170.470	Compatibility
170.480	Repairs Allowed
170.481	Leaking Underground Storage Tanks
170.490	Reporting and Recordkeeping
170.500	General Release Detection Requirements for All UST Systems
170.510	Release Detection Requirements for Petroleum UST Systems
170.520	Release Detection Requirements for Hazardous Substance UST Systems
170.530	Methods of Release Detection for Tanks
170.540	Methods of Release Detection for Piping
170.541	Installer, Repairer, Reliner or Remover of USTs and Obtaining Permits
170.542	Approval of Permits and Site Plans
170.543	Tester of Underground Storage Tanks and Cathodic Protection
170.544	USTs Inside or Under Buildings
170.545	UST Restrictions at Service Stations
170.550	Release Detection Recordkeeping
170.560	Reporting of Suspected Releases
170.570	Investigation Due to Off-Site Impacts
170.580	Release Investigation and Confirmation Steps
170.590	Reporting and Cleanup of Spills and Overfills
170.600	Initial Response for UST Systems Containing Petroleum or Hazardous Substances
170.610	Initial Abatement Measures and Site Assessment
170.620	Temporary Out-of-Service Status for UST Systems
170.630	Change-in-Service of UST Systems
170.640	Assessing the Site at Removal or Change-in-Service of UST Systems
170.650	Applicability to Previously Removed UST Systems
170.660	Removal or Change-in-Service Records
170.670	Removal or Abandonment-in-Place of Underground Storage Tanks

## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED AMENDMENTS

170.671 Notification and Establishment of a Date Certain for Underground Storage Tank Activity  
 170.672 Pre-'74 and Heating Oil USTs  
 170.673 Petroleum Release Classifications

## SUBPART C: UNDERGROUND STORAGE TANKS--FINANCIAL RESPONSIBILITY REQUIREMENTS

170.700 Incorporation-by-Reference Definitions  
 170.705 Incorporation by Reference  
 170.710 Applicability  
 170.720 Amount  
 170.730 Mechanisms of Financial Responsibility  
 170.740 Proof of Financial Responsibility  
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## TABLE A SCHEDULE FOR PHASE-IN OF RELEASE DETECTION

## TABLE B MANUAL TANK GAUGING: WEEKLY AND MONTHLY STANDARDS

AUTHORITY: Implementing the Gasoline Storage Act (430 ILCS 20/2) and authorized by Section 2 of the Gasoline Storage Act (430 ILCS 15/2).

SOURCE: Rules and Regulations Relating to Service Stations filed July 10, 1958; amended March 6, 1963 and April 4, 1977; codified at 5 Ill. Reg. 10692; emergency amendment at 7 Ill. Reg. 1477, effective January 26, 1983, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 10058, effective June 29, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 9514, effective October 1, 1985; emergency amendment at 10 Ill. Reg. 345, effective January 1, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 12324, effective July 2, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 19976, effective January 5, 1987; amended at 12 Ill. Reg. 8023, effective April 26, 1988; emergency amendments at 13 Ill. Reg. 1886, effective January 27, 1989, for a maximum of 150 days; emergency expired June 26, 1989, amended at 13 Ill. Reg. 5569, effective April 21, 1989; amended at 13 Ill. Reg. 7744, effective May 9, 1989; amended at 13 Ill. Reg. 8515, effective May 23, 1989; amended at 13 Ill. Reg. 8875, effective May 24, 1989; amended at 13 Ill. Reg. 14992, effective September 11, 1989; amended at 14 Ill. Reg. 5781, effective April 10, 1990; amended at 15 Ill. Reg. 7042, effective April 29, 1991; amended at 16 Ill. Reg. 4845, effective March 12, 1992; emergency amendment at 17 Ill. Reg. 1186, effective January 29, 1993, for a maximum of 150 days; amended at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_.

## SUBPART A: MISCELLANEOUS

## Section 170.10 Definitions

- a) "ANSI" - American National Standards Institute.  
 b) "ASTM" - American Society for Testing and Materials.  
 c) Class I liquids - See Flammable Liquids.  
 d) Classes II and III liquids - See Combustible Liquids.  
 e) "Combustible Liquids" are defined in NFPA 30 (Flammable and Combustible Liquids Code) (1987), known as Class II and III liquids. They are further subdivided into Class II, IIIa and IIIb liquids in NFPA 30.  
 f) "Fire extinguisher ratings". Fire extinguisher ratings shall be determined by applying UL 711 (Fire Extinguishers, Rating and Testing of) (1987).  
 g) Flammable liquids are defined in NFPA 30 (Flammable and Combustible Liquids Code) (1987), and are divided into Class Ia,



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Ib and Ic liquids.

h) "Hazardous substance" means any substance listed in 40 CFR 302.4 (1987) (but not including any substance regulated as a hazardous waste under 35 U.S.C. 111, Code 721).

i) "Heating oil" means petroleum that is No. 1, No. 2, No. 4 light, No. 4 heavy, No. 5 light, No. 5 heavy or No. 6 technical grades of fuel oil, other residual fuel oils (including Navy-Special fuel oil and Bunker C), and other fuels when used as substitutes for one of these fuel oils. Heating oil is typically used in the operation of heating equipment, boilers or furnaces.

j) "Installer" means any person, corporation or other entity engaged in the installation of any "underground storage tank" or "UST", and who is registered as such with the Office of the State Fire Marshal.

k) "NFPA" means National Fire Protection Association. The standard number will appear in context. The edition will be referenced in parentheses. Where no edition appears, the edition in effect will be the 1988 edition.

l) "Owner" of a UST system means person who has legal or equitable title to a UST system which has or has had a regulated substance(s) contained in it.

m) "Person" means for the purpose of paying any annual registration fee by any installer, remover, repairer, or tester, the term "person" refers only to corporations, partnerships or business entities.

n) "Person" means an individual, trust, firm, partnership, joint stock company, corporation, Federal agency, state, municipality, commission, unit of local government or political subdivision of the State or any interstate body. "Person" also includes a consortium, a joint venture, a commercial entity of the United States Government.

o) "Petroleum" (including crude oil or any fraction of crude oil that is liquid at standard conditions of temperature and pressure (60 F and 14.7 pounds per square inch absolute)), includes but is not limited to petroleum-based substances comprised of a complex blend of hydrocarbons derived from crude oil through processes of separation, conversion, upgrading or finishing, such as motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants and petroleum solvents.

p) "Regulated substance" means any petroleum product or hazardous substance as defined in this Section.

q) "Remover" means any person, corporation or other entity engaged in the removal of any "underground storage tank" or "UST".

r) "Repairer" means any person, corporation or other entity engaged in repairing any "underground storage tank" or "UST".

s) "Service station" means any place of business where gasoline, fuel oil or any other volatile fuels for motor vehicles or internal combustion engines are sold or offered for retail sale, or dispensed into the fuel tanks of such motor vehicles, or into

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approved containers as defined in Section 170.150, except hobby shops and small engine repair facilities.

This definition shall include the private storage and dispensing of such products for the same purposes as those served by service station, whether the storage is maintained for the use or benefit of the owner, lessee, agents or employees of either, or of any others.

The requirements covering service stations shall also govern underground storage maintained at general storage plants and places other than service stations, so far as applicable.

t) "Tester" means any person engaged in the testing of any underground storage tank or "UST" for the purpose of determining either whether a "underground storage tank" or "UST" is leaking or whether the cathodic protection system is functioning properly. Any such tester is required to be registered with the Office of the State Fire Marshal.

u) "UL" Underwriters Laboratories, Inc.

v) "Underground storage tank" or "UST"

1) "Underground storage tank" or "UST" means any one of combination of tanks (including underground pipes and cathodic protection connected thereto) that is used to contain an accumulation of regulated substances and the volume of which (including the volume of underground pipes connected thereto) in 10 percent or more beneath the surface of the ground. A tank containing less than four percent petroleum of the total volume of its contents and no hazardous substance is not an underground storage tank or a UST. A tank system classified as a UST may not be reclassified as being a non-UST, unless there has been a change in service as provided in Section 170.630. A non-UST system tank, which is used to store a non-regulated substance, may not be converted to a UST system tank, unless the tank has been recertified by the manufacturer. A UST system does include an emergency power generator tank that stores any classification of fuel for use exclusively, alternately or concurrently by an emergency power generator, except as otherwise excluded in subsections (1)(c) and (2)(c). The term "underground storage tank" or "UST" shall not include any pipes connected to any tank which is described in subsections (1)(a) through (1) through (1) storage tank or UST does not include any:

A) Farm or residential tank 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;

B) Tank of 1,100 gallons or less capacity used exclusively for storing heating oil for consumptive use on the premises where stored;

C) Septic tank;

D) Pipeline facility (including gathering lines);

1) Regulated under the Natural Gas Pipeline Safety Act



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- of 1968-(49-U.S.C.-1671-et-seq.)
- ii) Regulated under the Hazardous Liquid Pipeline Safety Act of 1979-(49-U.S.C.-2001-et-seq.), or
- iii) Regulated under the Illinois Gas Pipeline Safety Act--(Ill.-Rev.-Stat.-1987, chv. 111-273, pars. 551 et-seq.)
- E) Surface impoundment, pit, pond or lagoon;
- F) Storm water or water waste collection system;
- G) Flow-through process tank;
- H) Liquid trap or associated gathering line--directly related to oil or gas production and gathering operations;
- I) Storage tank situated in an underground area (such as basement, cellar, mineworking, drift, shaft or tunnel) if the storage tank is situated upon or above the surface of the floor and can be viewed from all sides;
- J) Tank abandoned by filling with inert material in compliance with regulations issued by the Office of the State Fire Marshal (Section 170-670);
- K) Tank with a capacity less than 110 gallons; or
- L) Hydraulic lift tank.
- 2) The following are deferred from being considered UST systems (whether single or double wall construction):
- A) Wastewater treatment tank system;
- B) Any UST system containing radioactive material that is regulated under the Atomic Energy Act of 1954-(42-U.S.C.-2011);
- C) Any UST system that is part of an emergency generation system at a nuclear power generation facility regulated by the United States Nuclear Regulatory Commission;
- D) Airport hydrant fuel distribution system; and
- E) Any UST system with a field constructed tank (see FR 311007-September 23, 1988).
- 3) Although the systems specified in subsection (2) are exempt from the requirements in Sections 170-420 through 170-670, they are required to comply with the following:
- A) Be constructed to prevent releases due to corrosion or structural failure for the operation life of the UST system in accordance with API Recommended Practice 1632--"Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems," Second Edition, December 1987--NACE Standard Recommended Practice RP0169-83--"Control of External Corrosion on Underground Submerged Metallic Piping Systems," revised January 1983--and NACE Recommended Practice RP0285-85--"Control of External Corrosion on Metallic Buried--Partially Buried--or Submerged Liquid Storage Systems," approved March, 1985 (see Section 170-140);
- B) Be cathodically protected--(See Section--170-400(a))

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- against corrosion--constructed--of--non-corrodible material--steel clad with a non-corrodible material--or designed in a manner to prevent the release or threatened release of any storage substance in accordance with API Recommended Practice 1632--"Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems," Second Edition, December, 1987--NACE Standard Recommended Practice RP0169-83--"Control of External Corrosion on Underground Submerged Metallic Piping Systems," revised January, 1983--and NACE Recommended Practice RP0285-85--"Control of External Corrosion on Metallic Buried--Partially Buried--or Submerged Liquid Storage Systems," approved March, 1985 (see Section 170-140);
- C) Be constructed or lined with material that is compatible with the stored substance; and
- W) "Upgrade"--is the addition or retrofit of some portion of a UST system such as cathodic protection, lining or spill and overflow controls to improve the ability of the UST to prevent the release of product.

(Source: Amended at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 170.20 Storage Underground and Limited (Repealed)

- a) Service station storage shall be underground and the capacity of any single underground storage tank for Class I, II and III liquids shall not exceed 20,000 gallons.
- b) The total aggregate storage of Class I, II and III liquids shall be limited by the ability to achieve and maintain clearances to basements, sewers, property lines and special classes of property in accordance with Section 170-40 and 170-41 and clearance between tanks is a minimum of 12 inches.

(Source: Repealed at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 170.40 Clearance Required for Underground Tanks (Repealed)

- a) Distance to Basements, etc.--Individual tanks shall be buried so that the tops of the tanks shall be lower than all floors, basements, cellars or pits of buildings within twenty feet, on or off the property, or tanks shall maintain a clearance of twenty feet to all buildings with basements.
- b) Distance to Sewers, etc.--Individual tanks shall be buried so that the tops of the tanks shall be lower than the bottom level of all sewers, manholes, catch basins, cesspools, septic tanks, wells or cisterns within twenty feet, on or off the property, or tanks shall maintain a full clearance of twenty feet thereto--the term "sewer" includes a sewer line out of service station buildings

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- e) provided, however, these clearances shall not be required to a sewer line out of a service station if such sewer line is constructed throughout of cast iron with leaded joints.
- e) Distance to Property Lines. Individual tanks shall be at least twenty feet to property lines provided, however, that these clearances on the side adjacent to a public street, alley or highway will be waived by consent of the authority having immediate jurisdiction over the public street, alley or highway, provided that the required sewer clearances will be maintained.
- d) Distance to Special Classes of Property. Tanks and pumps shall maintain a clearance of not less than 300 feet to any mine shaft, air or escape shaft for any mine, and 85 feet to any sheet institutional, public assembly, or theater occupancy as defined in 41 Ill. Adm. Code 100.30. The distance shall be measured from the nearest points of tanks and pumps to the nearest points of buildings or shafts.
- e) Where the site size makes compliance with these clearance requirements an impossibility, Steel Tank Institute's Protection Prover 1 or 2 must be used.
- f) Tanks in service on October 1, 1985 may maintain existing underground tank clearances provided they are in conformity with rules in effect on January 1, 1984.

(Source: Repealed at Ill. Reg. \_\_\_, effective \_\_\_.)

Section 170.41 Location (Repealed)

Excavation for underground storage tanks shall be made with due care to avoid undermining of foundations of existing structures. Underground tanks or tanks under buildings shall be located with respect to existing building foundations and supports so that the loads carried by the latter cannot be transmitted to the tank.

(Source: Repealed at Ill. Reg. \_\_\_, effective \_\_\_.)

Section 170.50 Material and Construction of Tanks (Repealed)

- a) Underground tanks shall meet the requirements of Underwriters' Laboratories Standard UL-58 (1976).
- b) Metallic tanks shall be thoroughly coated on the outside with tar, asphaltum or other suitable rust resisting material.
- e) Metallic tanks shall not be surrounded or covered by cinders or other material of corrosive effect. Corrosion protection must be provided in accordance with NFPA-30, (1981)-2-3.3 where soil resistivity is 10,000 ohm-centimeters or less. Such corrosion protection shall be in accordance with American Petroleum Institute publication 1615 (1979).
- d) Underground steel tanks built to Steel Tank Institute Standard P-3 (1982) are approved, provided that they are installed according to

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- e) the manufacturer's specifications.
- e) Non-metallic tanks meeting the requirements of UL-1316 (1982) may be used for underground storage provided they are installed according to the manufacturer's instructions.
- f) To prevent penetration of the tank bottom, all non-metallic tanks shall be equipped with steel striker plates on the tank bottom immediately below any opening which might be used for taking dipstick measurements.

(Source: Repealed at Ill. Reg. \_\_\_, effective \_\_\_.)

Section 170.60 Venting of Tanks (Repealed)

- a) Each tank shall be provided with a vent pipe, connected with the top of the tank and carried up to the outer air. The pipe shall be arranged for proper drainage to storage tank and its lower end shall not extend through top of tank for a distance of more than one inch; it shall have no traps or pockets.
- b) Upper end of the pipe must be provided with an updraft vent device only, with 40 gauge screening.
- e) Vent pipe shall be of sufficient cross-sectional area to permit escape of air and vapor during the filling operation and in compliance with NFPA-30 (1981) and in no case less than one and one fourth inches in diameter. If a power pump is used in filling storage tank and a tight connection is made to the fill pipe, the vent pipe shall not be smaller than the fill pipe.
- d) Vent pipe shall terminate outside of building not less than twelve feet above top of fill pipe, not less than four feet measured vertically and horizontally, from any window or other building opening into the basement, cellar or pit of any building and in a location which will not permit pocketing of vapor or liquid. If a tight connection is made in the filling line, the terminals of the vent pipe shall be carried to a point one foot above the level of the highest reservoir from which tank may be filled.

(Source: Repealed at Ill. Reg. \_\_\_, effective \_\_\_.)

Section 170.65 Underground Tank Installations (Repealed)

- a) Steel underground tanks shall be set on firm foundations and surrounded with at least 12 inches of non-corrosive inert material such as clean sand or gravel well tamped in place. The tank shall be placed in the hole with care, since dropping or rolling the tank into the hole can break a weld, puncture or damage the tank, or scrape off the protective coating of coated tanks.
- b) Steel underground tanks shall be covered with a minimum of three feet of earth. Tanks existing on October 1, 1985 must be buried so that the tops of the tanks will not be less than 2' below the surface of the ground or beneath 12" of earth and a slab of



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- to be by check or money order made payable to "Office of the State Fire Marshal";
- b) Any change in information on the form as referred to in subsection (a) shall be submitted by the owner to the Office of the State Fire Marshal on an amended form, as prescribed by the Office, within 30 days, commencing from the date of such change;
- c) Any owner subsequent to the owner as specified in subsection (a) shall report any change in information in the time and manner as specified in subsection (b); a change in ownership is considered a change in information and is the responsibility of each subsequent owner to so report;
- d) The owner of an underground storage tank with a capacity greater than 1,100 gallons used exclusively to store heating oil for consumptive use on the premises where stored is not required to pay the annual fee; however, the owner may optionally pay the annual fee, and, thereby, cause the tank to be eligible to obtain access to the Underground Storage Tank Fund (established in Section 4 of "AN ACT to regulate the storage, transportation and use of gasoline and volatile oils"), the tank is subject to each subsequent annual fee assessment; and
- f) An underground storage tank used to store heating oil as described in subsection (d) may not be subsequently used to store a different regulated substance.

(Source: Repealed at Ill. Reg. \_\_\_\_, effective \_\_\_\_)

Section 170.72 Late Registration Fee (Repealed)

The owner of any underground storage tank which contained petroleum products or hazardous substances required to be registered with the Office of the State Fire Marshal between January 1, 1974 and September 24, 1987, and who did not so register, shall do so and pay the office of the State Fire Marshal a registration fee of \$500 per tank by check or money order made payable to "Office of the State Fire Marshal".

(Source: Repealed at Ill. Reg. \_\_\_\_, effective \_\_\_\_)

Section 170.76 Leaking Underground Tanks (Repealed)

- a) Leaking Underground Storage Tanks-----When a tank is determined to be leaking, it can be permanently abandoned and removed, repaired, or replaced. In each case where product loss has occurred, a g tech galvanized or plastic pipe-sump must be installed and maintained to retrieve any dormant products which might appear at a later date. Such pipe-sump shall have at least 15% of its surface as holes or slots to allow product to flow into the sump. Before removing a leaking tank, it must be pumped free of product and made gas-free; piping must be removed or capped.
- b) Repairing Underground Storage Tanks-----Existing underground storage

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reinforced concrete not less than 4" in thickness; the slab shall be set on a firm, well-tamped earth foundation and shall extend at least 1' beyond the outline of the tank in all directions. When asphaltic or reinforced paving is used as part of the protection, it shall extend at least one foot horizontally beyond the outline of the tank in all directions.

c) Non-metallic underground tanks shall be installed in accordance with the manufacturer's instructions. The minimum depth of cover shall be as specified in subsection (b) for steel tanks.

d) The diameter of all non-metallic tanks shall be measured before and after back filling. If deflection of the tank exceeds the maximum allowed in the following table, then the Office of the State Fire Marshal and the manufacturer of the tank shall be notified prior to the tank being placed in use.

Tank Diameter                      Maximum Deflection

- 5/8-inch  
-----1-inch  
-----1 1/2-inch  
-----1 1/2-inch

NOTE: Excessive deflection of tank may cause cracking or may cause suction line to penetrate the bottom of the tank.

(Source: Repealed at Ill. Reg. \_\_\_\_, effective \_\_\_\_)

Section 170.70 Fill Pipes (Repealed)

- a) Fill pipes shall be carried to a location outside of any building as remote as possible from any doorway or other opening into any building and in no case closer than five feet from any such opening.
- b) Location shall be in a place where there is minimum danger of breakage from trucks or other vehicles.
- c) Each fill pipe shall be closed by a few cap or other tight fitting cap of a type which can be locked. The cap shall be locked at all times when filling or gauging process is not going on.

(Source: Repealed at Ill. Reg. \_\_\_\_, effective \_\_\_\_)

Section 170.71 Registration of Underground Storage Tanks and Payment of Annual Fee (Repealed)

- a) The owner of any underground tank used to store regulated substances since January 1, 1974, shall register any such tank on forms prescribed by the Office of the State Fire Marshal, and the owner of any registered underground petroleum storage tank shall pay an annual fee of \$100 per tank on or before 90 days from the date on the invoice requesting payment of the fee. The payment is



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- tanks may be glass or epoxy lined, provided that:
- 1) Such repair and the proposed materials are compatible with the product to be stored in such repaired tank. (Gasohol has had a deteriorating effect on some repaired tanks).
  - 2) The manufacturer of materials used to reline or repair leaking underground tanks for the storage of Class I, II and III liquids shall register with the Office of the State Fire Marshal and provide and maintain a current list of installers of the particular methods and materials for relining or repairing tanks. Such lists shall only contain the names of installers who are approved by the respective manufacturers.
  - 3) A pump, as described above, shall be installed where product loss has occurred.
  - 4) The contractor shall file a note with the Division of Fire Prevention before starting work.
  - 5) Emergency repairs may begin on weekends, holidays and after business hours with notification to the Office of the State Fire Marshal on the next business day.
  - d) Leak detection systems and devices using either an analytical balance or continuous sampling modality are approved by the Office of the State Fire Marshal.
- (Source: Repealed at Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## Section 170.90 Pumps (Repealed)

- a) Class I, II and III flammable and combustible liquids shall be transferred from underground tanks by means of fixed pumps so designed and equipped as to allow control of the flow and to prevent leakage or accidental discharge. Supplemental means shall be provided outside of the dispensing device whereby the source of power may be readily disconnected in the event of fire or other accident. Dispensing devices for Class I, II or III flammable and combustible liquids must meet the requirements of UL-842 (1982), liquids shall be withdrawn from tanks by means of pumps in conformity with the National Electrical Code-NFPA-70 (1981) Chapter 5, and equipped with static wire hose and non-ferrous discharge nozzle.
- b) No pump or dispensing device shall be located within a building.
- 1) Existing pumps and dispensing devices within garages, which be permitted provided the dispensing area:
  - A) is not below grade
  - B) is separated from motor vehicle repair areas, pits and basements,
- C) is protected against physical damage from vehicles by mounting the dispensing unit on a concrete island or by equivalent means,
- D) is located in a position where it cannot be struck by a vehicle descending a ramp or other slope out of control,

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- E) is provided with an approved mechanical or gravity ventilation system, and
  - F) is provided with a clearly identified switch, readily accessible in case of fire or physical damage to any dispensing units to shut off the power to dispensing units.
  - 2) Existing dispensing units located below grade must have independent mechanical ventilation systems and the entire dispensing area shall be protected by an automatic sprinkler system conforming to the requirements of 41-111-Adm-Code 100-220.
    - A) The ventilation systems shall be electrically interlocked with the gasoline dispensing units so that the dispensing units cannot be operated unless the ventilating fan motors are energized and operating.
    - B) Existing dispensing units located below grade within buildings must also meet Subsection (b)(1) above.
  - Curb pumps or pumps located in any portion of a public street are prohibited.
  - 1) Wiring of electric pumps and all electrical equipment in connection therewith shall conform to Chapter 5 of the 1981 Edition of the National Electrical Code, NFPA-Standard No. 70, published by the National Fire Protection Association.
  - Devices which discharge by gravity are prohibited and must be removed by January 1, 1986. Gravity devices at service stations which are retained for their novelty or historical interest may be retained at the facility but shall be rendered non-functional.
  - Systems which employ continuous air pressure on storage tanks in connection with gauging or vending devices are prohibited.
  - The use of aboveground storage tanks in connection with gauging or vending devices is prohibited.
  - New installations of apparatus for dispensing Class I liquids into fuel tanks of vehicles shall not be connected to bulk storage tanks.
  - Dispensing devices at an automotive service station shall be so located that all parts of the vehicle being served will be on the premises of the service station. Openings beneath dispenser enclosure shall be sealed to prevent the flow of leaking fuel to lower building spaces.
  - Dispensing devices at marine service stations may be located on open piers, wharves, or floating docks on shore or on piers of the solid fill type and shall be located away from other structures so as to provide room for safe ingress and egress of craft to be fueled.
  - Dispensing units existing prior to September 15, 1978 may be located inside buildings if specific written approval of the Office of the State Fire Marshal was granted. The dispensing area shall be separated from other areas by two-hour fire-resistive construction as defined in Section 1407 of the Basic Building Code
- e) \_\_\_\_\_
  - d) \_\_\_\_\_
  - e) \_\_\_\_\_
  - f) \_\_\_\_\_
  - g) \_\_\_\_\_
  - h) \_\_\_\_\_
  - i) \_\_\_\_\_
  - j) \_\_\_\_\_
  - k) \_\_\_\_\_

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(1981), published by Building Officials and Code Administrators International, Inc. The dispensing area shall be provided with a mechanical or gravity ventilation system, all components of which shall comply with the requirements of NFPA No. 70 Chapter 5 (1981).

(Source: Repealed at Ill. Reg. \_\_, effective \_\_\_\_)

Section 170.100 Piping (Repealed)

Materials and Design

a) Piping, valves, and fittings for flammable liquids shall be designed for the work pressures and structural stresses to which they may be subjected. They may be of steel or other materials suitable for use with the liquid being handled. Pipe wall thicknesses determined in accordance with Section 3 of the American National Standard Code for Pressure Piping, A.N.S.I.-B31 (1983) shall be deemed to comply with this Section, except that carbon steel pipe shall not be thinner than standard wall thickness listed in the American Standard for Wrought Steel and Wrought Iron Pipe (A.N.S.I.-B36) (1983).

b) Non-metallic piping systems conforming to the requirements of A.N.S.I.-B31 (1983) for use with flammable and combustible liquids are permitted underground.

c) After installation, piping shall be tested for 30 minutes at a pressure 50 percent in excess of the working pressure and shall be proven leak proof.

(Source: Repealed at Ill. Reg. \_\_, effective \_\_\_\_)

Section 170.105 Approval of Plans (Repealed)

Blueprints or drawings made to scale shall be submitted in triplicate to the Office of the State Fire Marshal and shall be approved before any new construction, addition or remodeling which alters building size, dispenser locations or locations or sizes of vehicle service areas, heating devices or storage tanks. Drawings shall carry the name of the person, firm or company proposing the installation, the location with reference to city, village or town, and shall show the following:

- a) The plot to be utilized and its immediate surroundings on all sides; all property lines are to be designated and adjacent streets and highways must be named.
- b) The complete installation as proposed, including tanks and their capacities, class of liquids to be stored, pumps, buildings, drives, and all equipment.
- c) Clearance from tanks to property lines as required by Section 170.40(c).
- d) Type of construction of service station building or building clearly showing that there will be no new basement, cellar or excavation under any portion.

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- e) Location of basements, cellars or pits of other buildings on the property or on adjacent property, and location of tanks with reference thereto as required by Section 170.40(a). If a building has no basement, cellar or pit, please make note to that effect.
- f) Location of sewers, manholes, catch basins, cesspools, septic tanks, wells or cisterns (whether on the property or adjacent property or in adjoining streets, highways or alleys), and location of tanks with reference thereto as required by Section 170.40(b). If there is no sewer, manhole or catch basin in a street or alley, or no sewer, cesspool, septic tank, well or cistern on a property, a notation to that effect should be made in the proper place.
- g) Location of vent pipe outlets as required by Section 170.60(d) and location of fill pipes as required by Section 170.70.
- h) Ventilation of greasing pits as required by Section 170.130, if greasing pit is located within a building or an enclosure.
- i) A complete showing of type of heat and heating arrangements as required by Section 170.115.
- j) Drawings shall be accompanied by an application for approval made out in triplicate on blanks furnished by the Office of the State Fire Marshal.
- k) Plans will be approved if they meet the requirements contained in this Part.

(Source: Repealed at Ill. Reg. \_\_, effective \_\_\_\_)

Section 170.106 Installer, Repairer or Remover of Underground Storage Tanks (Repealed)

Any person who in an installer, repairer or remover of underground storage tanks is to register with, and

- a) Pay an annual registration fee of \$100 to the Office of the State Fire Marshal on or before 30 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal."
- b) Pay \$100 per site to the Office of the State Fire Marshal for a permit to install, repair, remove or abandon in place underground storage tanks.
  - 1) A separate fee is required for each type of activity.
  - 2) This fee is to be paid by check or money order made payable to "Office of the State Fire Marshal."
  - 3) This fee is waived regarding all persons who repair an underground storage tank for themselves.
  - 4) This permit expires six months from the date issued except that the applicant may apply for and be entitled to one six month extension of the permit during the time the permit is valid, with no additional fee required.

e) For purposes of this Section, the term "installer" includes "replacer" and "install" includes "replace" and the term



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"repairer" includes person who upgrades and "repair" includes upgrade" (except for purposes of this Section, upgrades and upgrade" do not include the placement of monitoring wells)"

(Source: Repealed at Ill. Reg. \_\_, effective \_\_)

### Section 170.107 Tester of Underground Storage Tanks and Cathodic Protection (Repealed)

Any person who is a tester of underground storage tanks or its piping or cathodic protection for another, except a lesser for his or her lessee, is to register with and pay an annual registration fee of \$100 to the Office of the State Fire Marshal on or before 30 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal". The results of such tests are to be reported to the Office of the State Fire Marshal within one month from the date of each such test on a form prescribed by Office of the State Fire Marshal, except when a tank fails a test and is suspected of leaking, the result shall be submitted within three working days of the test.

(Source: Repealed at Ill. Reg. \_\_, effective \_\_)

### Section 170.108 Pressure Testing (Repealed)

After installation, pressure testing with air or other gases of underground storage tanks or piping containing or which have contained flammable or combustible liquids, is prohibited.

(Source: Repealed at Ill. Reg. \_\_, effective \_\_)

### Section 170.110 Building (Repealed)

- a) The floor level shall be above grade so as to prevent flow of liquids or vapors into building and the floor shall be of concrete or other fire resistant construction.
- b) No basement or excavation shall be constructed under any service station building. Existing basements under service stations shall be eliminated or provided with mechanical ventilation and only non-sparking explosion proof motors and compressors shall be permitted in existing basements.
- c) No furnaces or heaters shall be located in existing service station basements.

(Source: Repealed at Ill. Reg. \_\_, effective \_\_)

### SUBPART B: UNDERGROUND STORAGE TANKS--TECHNICAL REQUIREMENTS

#### Section 170.400 Definitions

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- a) "Cathodic protection" is a technique to prevent corrosion of a metal surface by making that surface the cathode of an electrochemical cell. For example, a tank system can be cathodically protected through the application of either galvanic anodes or impressed current.
- b) "Cathodic protection tester" means a person who can demonstrate an understanding of the principles and measurement of all common types of cathodic protection systems as applied to buried or submerged metal piping and tank systems. This person must have education and experience in the measurement of cathodic protection of buried metal piping and tank systems, and be registered as an UST tester with the Office of the State Fire Marshal.
- c) "Compatible" means the ability of two or more substances to maintain their respective physical properties upon contact with one another for the design life of the tank system under conditions likely to be encountered in the UST.
- d) "Consumptive use on the premises" for purposes of determining whether a tank containing heating oil is an UST, does not include using heating oil to heat from a boiler or furnace through direct conductivity any product or substance used in a manufacturing or production process.
- e) "Corrosion expert" is a person who, by reason of thorough knowledge of the physical sciences and the principles of engineering and mathematics acquired by a professional education and related practical experience, is qualified to engage in the practice of corrosion control on buried or submerged metal piping systems and metal tanks. This person must be accredited as being qualified to engage in the practice of corrosion control on buried or submerged metal piping systems and metal tanks. This person must be accredited as being qualified by the National Association of Corrosion Engineers (NACE) or be a registered professional Engineer with the State, who has certification or licensing that includes education and experience in corrosion control of buried or submerged metal piping systems and metal tanks.
- f) "Dielectric material" is one that does not conduct direct electric current. Dielectric coatings are used to electrically isolate UST systems from the surrounding soil. Dielectric bushings are used to electrically isolate portions of the UST system (i.e., tank from piping).
- g) "Exevation zone" is the volume containing the tank system and backfill material bounded by the ground surface walls and floor of the pit and trenches into which the UST system is placed at the time of installation.
- h) "Existing tank system" means a tank system used to contain an accumulation of regulated substance for which installation has commenced on or before April 22, 1989. Installation is considered to have commenced if the owner or operator has obtained all Federal, State and local approvals or permits necessary to begin physical construction of the site of installation of the tank system.



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- and+
- 1) A continuous on-site physical construction or installation program has begun, or the owner or operator has entered into contractual obligations which cannot be canceled or modified without substantial loss for physical construction at the site or installation of the tank system, to be completed within a reasonable time.
- 2) "Farm tank" is a tank located on a tract of land devoted to the production of crops or raising of animals, including fish. To be exempt from UST jurisdiction, a farm tank must be located on the farm property, including all contiguous land and structures, and other appurtenances and improvements. "Farm" includes fish hatcheries, rangeland and nurseries with growing operations. "Farm" does not include agribusinesses, laboratories where animals are raised, land used to grow timber, and pesticide aviation operations. Moreover, this definition does not include retail stores or garden centers where the produce of nursery farms is marketed, but not produced.
- 3) Flow through process tank is a tank that forms an integral part of a production process through which there is a steady, variable recurring or intermittent flow of materials during the operation of the process. Flow through process tanks do not include tanks used for the storage of materials prior to their introduction to the process or for the storage of finished products or by-products from the production process.
- 4) Gathering lines are any pipeline, equipment, facility or building used in the transportation of oil or gas during oil or gas production or gathering operations.
- 5) Hazardous substance means any substance listed in 40 CFR 302.4, incorporated by reference in Section 170.410 (but not including any substance regulated as a hazardous waste under 35 Ill. Adm. Code 721).
- 6) Hazardous substance UST system means an underground storage tank system that contains a hazardous substance as defined in this Section, regardless of the quantity it constitutes of the total volume of the contents of the system and regardless of the presence in the system of any amount of any other regulated substance as defined in this Section.
- 7) "Heating oil" means petroleum that is No. 1, No. 2, No. 4 light, No. 4 heavy, No. 5 light, No. 5 heavy or No. 6 technical grades of fuel oil, other residual fuel oils (including Navy Special Fuel Oil and Bunker C) and other fuels when used as substitutes for one of these fuel oils. Heating oil is typically used in the operation of heating equipment, boilers or furnaces.
- 8) Liquid traps or associated gathering lines directly related to oil or gas production or gathering operations refer to sumps, well cellars or other traps used in association with oil or gas production, gathering or extraction operations (including gas

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- production plants) for the purpose of collecting oil, water or other liquids. Such liquid traps may temporarily collect liquids for subsequent disposition or reinjection into a production or pipeline stream, or may collect and separate liquids from a gas stream.
- 9) "Motor fuel" means petroleum or a petroleum-based substance that is motor gasoline, aviation gasoline, No. 1 or No. 2 diesel fuel, or any grade of gasoline, and is typically used in the operation of a motor engine.
- 10) "New tank system" means a tank system that will be used to contain an accumulation of regulated substances and for which installation has commenced after April 21, 1989. A new tank system may include a tank which has been installed, contained regulated substances, removed and re-certified by the manufacturer.
- 11) "Noncommercial purposes" with respect to motor fuel means not for resale.
- 12) On the premises where stored means tanks located on the same property where the stored heating oil is used. Tanks are excluded as long as the oil is stored anywhere on the same property. On the premises is not limited to the building where the heating oil is stored. Thus, centralized heating units using heating oil that serve more than one building on the same property would be excluded.
- 13) "Operator" means any person in control of, or having responsibility for, the daily operation of the UST system. Overfill release is a release that occurs when a tank is filled beyond its capacity, resulting in a discharge of the regulated substance to the environment.
- 14) "Owner" of an UST system means person who has legal or equitable title to an UST system which has or has had a regulated substance(s) contained in it.
- 15) "Person" means an individual, trust, firm, partnership, joint stock company, corporation, federal agency, state municipality, commission, unit of local government or political subdivision of the State or any interstate body. "Person" also includes a consortium, a joint venture, a commercial entity of the United States Government.
- 16) "Petroleum" including crude oil or any fraction of crude oil that is liquid at standard conditions of temperature and pressure (60 F and 14.7 pounds per square inch absolute), includes but is not limited to petroleum-based substances comprised of a complex blend of hydrocarbons derived from crude oil through processes of separation, conversion, upgrading or finishing, such as motor fuel, jet fuels, distillate fuel oils, residual fuel oils, lubricants and petroleum solvents.
- 17) "Petroleum UST system" means an underground storage tank system that contains petroleum or a mixture of petroleum (four percent or greater of the total volume of the contents of the system) with other regulated substances as defined in this Section.





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- 2) The following are deferred from being considered UST systems (whether single or double wall construction):
- A) Wastewater treatment tank system;
  - B) Any UST system containing radioactive material that is regulated under the Atomic Energy Act of 1954 (42 U.S.C. 2011);
  - C) Any UST system that is part of an emergency generation system at a nuclear power generation facility regulated by the United States Nuclear Regulatory Commission;
  - D) Airport hydrant fuel distribution system; and
  - E) Any UST system with a field constructed tank.
- 3) Although the systems specified in subsection (2) are exempt from the requirements in Sections 170.420 through 170.670, they are required to comply with the following:
- A) Be constructed to prevent releases due to corrosion or structural failure for the operational life of the UST system;
  - B) Be cathodically protected against corrosion; constructed of non-corrodible material; steel clad with a non-corrodible material; or designed in a manner to prevent the release or threatened release of any stored substance;
  - C) Be constructed or lined with material that is compatible with the stored substance; and
  - D) An owner of an UST system with field constructed tanks shall install monitoring wells in accordance with written directives issued by the Office of the State Fire Marshal.

- kk) "Upgrade" is the addition or retrofit of some portion of an UST system, such as cathodic protection, lining, or spill and overflow controls, to improve the ability of the UST to prevent the release of product.
- "Abandonment-in-place" is the permanent placement of a UST in an inoperative condition by filling it with inert material in accordance with Section 170.670.
- "Cathodic protection" is a technique to prevent corrosion of a metal surface by making that surface the cathode of an electrochemical cell. For example, a tank system can be cathodically protected through the application of either galvanic anodes or impressed current.
- "Cathodic protection tester" means a person who can demonstrate an understanding of the principles and measurement of all common types of cathodic protection systems as applied to buried or submerged metal piping and tank systems. This person shall have education and experience in soil resistivity, stray current, structure-to-soil potential and component electrical isolation measurements of buried metal piping and tank systems.
- "Compatible" means the ability of two or more substances to maintain their respective physical properties upon contact with

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one another for the design life of the tank system under conditions likely to be encountered in the UST.

"Contractor" is a person who performs any UST activity requiring a permit.

"Corrosion expert" is a person who, by reason of thorough knowledge of the physical sciences and the principles of engineering and mathematics acquired by a professional education and related practical experience, is qualified to engage in the practice of corrosion control on buried or submerged metal piping systems and metal tanks. This person shall be accredited as being qualified to engage in the practice of corrosion control on buried or submerged metal piping systems and metal tanks. This person shall be accredited as being qualified by the National Association of Corrosion Engineers (NACE) or be a registered Professional Engineer with the State, who has certification or licensing that includes education and experience in corrosion control of buried or submerged metal piping systems and metal tanks.

"Dielectric material" is one that does not conduct direct electric current. Dielectric coatings are used to electrically isolate UST systems from the surrounding soil. Dielectric bushings are used to electrically isolate portions of the UST system (i.e., tank from piping).

"European suction" is a piping system that draws a liquid through the system by suction pump or vacuum pump located at the dispenser. This system shall have the piping sloped back to the tank and may only have no more than one check valve, and it shall be located directly under the suction pump. This type of piping system never requires line leak detection.

"Excavation zone" is the volume containing the tank system and backfill material bounded by the ground surface, walls, and floor of the pit and trenches into which the UST system is placed at the time of installation.

"Existing tank system" means a tank system used to contain an accumulation of regulated substance or for which installation has commenced before April 21, 1989. Installation is considered to have commenced if the owner or operator has obtained all Federal, State and local approvals or permits necessary to begin physical construction of the site or installation the tank system; and:

A continuous on-site physical construction or installation program has begun, or

The owner or operator has entered into contractual obligations--which cannot be canceled or modified without substantial loss--for physical construction at the site or installation of the tank system, to be completed within a reasonable time.

"Farm" is a tract of land devoted to the production of crops or raising of animals, including fish. "Farm" includes all contiguous land and structures, and other appurtenances and improvements; also, fish hatcheries, rangeland and nurseries with



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growing operations. "Farm" does not include agribusiness (as defined in 20 ILCS 3605/2 (1)), laboratories where animals are raised, land used to grow timber and pesticide aviation operations. Moreover, this definition does not include retail stores or garden centers where the produce of nursery farms is marketed, but not produced.

"Farm tank" means a UST located on a farm and used exclusively for farm purposes. "A heating oil tank for consumptive use on the premises where stored," is not classified as a "farm tank."

"Flow-through process tank" is a tank that forms an integral part of a production process through which there is a steady, variable, recurring or intermittent flow of materials during the operation of the process. Flow-through process tanks do not include tanks used for the storage of materials prior to their introduction to the process or for the storage of finished products or by-products from the production process. When the process is shut-down, flow-through process tanks do not store product to be used once the process is resumed.

"Gathering lines" are any pipeline, equipment, facility or building used in the transportation of oil or gas during oil or gas production or gathering operations.

"Hazardous substance" means any substance defined in Section 101(14) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, 42 U.S.C. § 9601 (but not including any substance regulated as a hazardous waste under subtitle C of the Resource Conservation and Recovery Act (RCRA) of 1976, 42 U.S.C. § 9601, et seq.)

"Hazardous substance UST system" means an underground storage tank system that contains a hazardous substance defined in Section 101(14) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, 42 U.S.C. § 9601 (but not including any substance regulated as a hazardous waste under subtitle C of the Resource Conservation and Recovery Act (RCRA) of 1976, 42 U.S.C. § 9601, et seq.) or any mixture of such substances and petroleum, and which is not a petroleum UST system.

"Heating oil" means petroleum that is No. 1, No. 2, No. 4-light, No. 4-heavy, No. 5-light, No. 5-heavy or No. 6 technical grades of fuel oil; other residual fuel oils (including Navy Special Fuel Oil and Bunker C); and other fuels when used as substitutes for one of these fuel oils. Heating oil is typically used in the operation of heating equipment boilers or furnaces.

"Heating oil tank for consumptive use on the premises where stored" means consumed exclusively on the premises, where the heating oil UST is located, for space-heating or water-heating purposes; it does not include using heating oil to heat from a boiler or furnace through direct conductivity any product or substance used in a manufacturing or production process, or using heating oil as an ingredient in a manufacturing or production process. Heating oil used to heat grain dryers or kilns is used

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for consumptive use on the premises.

"Hydraulic lift tank" means a tank holding hydraulic fluid for a closed loop mechanical system that uses compressed air or hydraulic fluid to operate lifts, elevators and other similar devices.

"Interior liner" is a person who applies interior or internal lining.

"Interior or internal lining" means corrosion and chemical resistant materials that are sprayed, brushed or applied to the inside of a tank to protect the metal and product from contamination by corrosion. Interior lining is applied by an interior liner.

"Liquid traps or associated gathering lines directly related to oil or gas production or gathering operations" refer to sumps, well cellars, or other traps used in association with oil or gas production, gathering or extraction operations (including gas production plants), for the purpose of collecting oil, water or other liquids. Such liquid traps may temporarily collect liquids for subsequent disposition or reinjection into a production or pipeline stream, or may collect and separate liquids from a gas stream.

"Motor fuel" means petroleum or a petroleum-based substance that is motor gasoline, aviation gasoline, No. 1 or No. 2 diesel fuel, or any grade of gasohol, and is typically used in the operation of a motor engine.

"New tank system" means a tank system that will be used to contain an accumulation of regulated substances and for which installation has commenced on or after April 21, 1989. A new tank system may include a tank which has been installed, contained regulated substances, removed and re-certified by the manufacturer or a certified member of the Steel Tank Institute or Fiberglass Petroleum Tank and Pipe Institute (whichever is appropriate).

"Noncommercial purposes" with respect to motor fuel means not for resale and shall be for farm or residential use.

"On the premises where stored" means tanks located on the same property where the stored heating oil is used. "On the premises" is not limited to the building where the heating oil is stored. Thus, centralized heating units using heating oil that serve more than one building on the same property would be excluded.

"Operation" or "use" in reference to underground storage tank has the meaning of "operation" as defined in 430 ILCS 15/4.

"Operator" means any person in control of, or having responsibility for, the daily operation of the UST system, including its removal or abandonment-in-place.

"Overfill release" is a release that occurs when a tank is filled beyond its capacity, resulting in a discharge of the regulated substance to the environment.

"Owner" means:

In the case of a UST system in use on November 8, 1984, or

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brought into use after that date, any person who owns a UST system used for storage, use or dispensing of regulated substances; and

In the case of any UST system in use before November 8, 1984, but no longer in use on that date, any person who owned such UST immediately before the discontinuation of its use.

"Person" means an individual, trust, firm, partnership, joint stock company, corporation, federal agency, state, municipality, commission, unit of local government or political subdivision of the State or any interstate body. "Person" also includes a consortium, a joint venture, a commercial entity or the United States Government.

"Petroleum" (including crude oil or any fraction of crude oil that is liquid at standard conditions of temperature and pressure (60° F and 14.7 pounds per square inch absolute)), includes but is not limited to petroleum-based substances comprised of a complex blend of hydrocarbons derived from crude oil through processes of separation, conversion, upgrading or finishing, such as motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents and used oils.

"Petroleum UST system" means an underground storage tank system that contains petroleum or a mixture of petroleum with de minimis quantities of other regulated substances. Such systems include those containing motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents or used oils.

"Pipe or piping" is any hollow cylinder or tubular conduit that is constructed of non-earthen materials.

"Pipeline facilities (including gathering lines)" include new or existing pipe rights-of-way and any equipment, facilities or buildings used in the transportation of gas (or hazardous liquids, which include petroleum or any other liquid designated by the United States Secretary of Transportation) or the treatment of gas or designated hazardous liquids during the course of transportation.

"Re-certification" (of a UST) means when the manufacturer of the UST to be re-certified or a certified member of the Steel Tank Institute or Fiberglass Petroleum Tank and Pipe Institute (whichever is appropriate) has inspected the UST and issued its approval as to the adequacy of integrity of it to contain regulated product in accordance with applicable laws and regulations. A re-certified UST upon re-installation is classified as a "new tank system."

"Regulated substance" means petroleum or hazardous substance as defined in this Section.

"Release" means any spilling, overfilling, leaking, emitting, discharging, escaping, leaching or disposing from a UST into groundwater, surface water or subsurface soils.

"Reliner" means "interior liner."

"Repair" means to restore a tank or UST system component that has

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caused or may cause a release of product from the UST system. "Residence" means single-family dwelling unit or duplex.

"Residential tank" is a UST used exclusively for dwelling purposes located on residential property where there is no more than one residence. A "heating oil tank for consumptive use on the premises where stored," is not classified as a "residential tank." "Service station" means a facility where liquids used as petroleum fuels are stored in USTs and dispensed from fixed equipment into the fuel tanks of motor vehicles for retail sale to the general public. Service station includes attended service station; attended self-service station; and, unattended self-service station.

"Spill release" is a release that usually occurs at the fill pipe opening of a tank when a delivery truck's hose is disconnected from the pipe, while product continues to exit the hose, resulting in a discharge of the regulated substance to the environment.

"Storm-water" or "wastewater" collection system is all piping, pumps, conduit and any other equipment necessary to collect and transport the flow of surface water runoff resulting from precipitation or domestic, commercial or industrial wastewater to and from retention areas or areas where treatment is designated to occur. The collection of storm-water or wastewater does not include treatment, except where incidental to conveyance.

"Surface impoundment" is a natural topographic depression, man-made excavation or diked area formed primarily of earthen materials (although it may be lined with man-made materials) that is not an injection well.

"Tank" is a stationary device designed to contain an accumulation of regulated substances and constructed of non-earthen materials (e.g., concrete, steel or plastic) that provides structural support. Tanks tend to be cylindrical.

"Ten percent or more beneath the surface of the ground," with reference to a tank, means that its volume (including the volume of its connected underground piping) is 10 percent or more beneath the ground surface or otherwise covered with earthen materials. If a tank is in a vault, it is considered "beneath the surface of the ground," if it cannot be viewed from all sides and top and base.

"Underground pipes connected thereto" means all underground piping, including valves, elbows, joints, flanges and flexible connectors attached to a tank system through which regulated substances flow. For the purpose of determining how much piping is connected to any individual UST system, the piping that joins two UST systems should be allocated equally between the systems. Where tanks are manifolded together, each tank is considered as a separate UST system. However, if an exempt tank is connected by piping to a regulated tank, half of the piping is allocated to each tank system.

"Underground storage tank" or "UST."



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"Underground storage tank" or "UST" means any one or combination of tanks (including underground pipes, ancillary equipment and cathodic protection connected thereto) used to contain an accumulation of regulated substances, and the volume of which (including the volume of underground pipes connected thereto) is 10 percent or more beneath the surface of the ground. A tank system classified as a UST may not be re-classified as being a non-UST, unless there has been a change-in-service as provided in Section 170.630. A non-UST system tank used to store a non-regulated substance, may not be converted to a UST system tank, unless the tank has been re-certified and is in compliance with all applicable upgrade requirements. A UST system does include an emergency power generator tank that stores any classification of fuel for use exclusively, alternately or concurrently by an emergency power generator, except as otherwise excluded in this definition. The term "underground storage tank" or "UST" does not include any pipes connected to any tank described in this definition. Underground storage tank or UST does not include any:

Farm or residential tank of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;  
 Farm or residential tank of any capacity used exclusively for storing heating oil for consumptive use on the premises where stored;

Septic tank;

Pipeline facility (including gathering lines):

Regulated under the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1671, et seq.);

Regulated under the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. 2001, et seq.); or

Regulated under the Illinois Gas Pipeline Safety Act (220 ILCS 207/1, et seq.).

Any wastewater treatment tank system (including oil-water separators) that is part of a wastewater treatment facility regulated under Section 402 or 307(b) of the Clean Water Act;

Surface impoundment, pit, pond or lagoon;

Storm-water or wastewater collection system;

Flow-through process tank;

Liquid trap or associated gathering line directly related to oil or gas production and gathering operations;

Storage tank situated in an underground area (such as a basement, cellar, mineworking, drift, shaft or tunnel) if the storage tank is situated upon or above the surface of the floor and can be viewed from all sides;

Storage tank situated in a vault (whether underground or

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aboveground), if the storage tank is situated upon or above the surface of the floor or ground and can be viewed from all sides and top and bottom;

Tank abandoned by filling with inert material in compliance with regulations issued by the Office of the State Fire Marshal;

Tank with a capacity 110 gallons or less; or

Hydraulic lift tank.

The following are deferred from the requirements of Sections 170.420 through 170.580 and 170.620 through 170.673 (whether single- or double-walled construction):

Wastewater treatment tank system (including oil-water separators, except that oil-water separators which are components of an oil processing, refining or treatment system are not wastewater treatment tanks (40 CFR 280.10(3), incorporated by reference in Section 170.410));

Any UST system containing radioactive material that is regulated under the Atomic Energy Act of 1954 (42 U.S.C. 2011);

Any UST system that is part of an emergency generation system at a nuclear power generation facility regulated by the United States Nuclear Regulatory Commission;

Airport hydrant fuel distribution system; and

Any field-constructed tank.

Although the systems specified in subsection (2) are exempt from the requirements in Sections 170.420 through 170.580 and 170.620 through 170.673, they are required to comply with the following:

Be constructed to prevent releases due to corrosion or structural failure for the operational life of the UST system;

Be cathodically protected against corrosion, constructed of non-corrodible material, steel clad with a non-corrodible material, or designed in a manner to prevent the release or threatened release of any stored substance;

Be constructed or lined with material that is compatible with the stored substance;

An owner of an UST system with field-constructed tanks shall install monitoring wells in accordance with written directives issued by the Office of the State Fire Marshal; and

Sections 170.590 through 170.610.

"UST activity" means a UST:

Installation;

Repair (including upgrade);

Removal (including abandonment-in-place);

Reline; or

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## Tank tightness testing.

"Upgrade" is the addition or retrofit of some portion of a USI system, such as cathodic protection, interior lining (relining), or spill and overfill controls, to improve the ability of the USI to prevent the release of product.

"Wastewater treatment tank" means a tank that is designed to receive and treat an influent wastewater through physical, chemical or biological methods.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

## Section 170.410 Incorporations by Reference

- a) The following publications are incorporated by reference in this Subpart:
- Association--for--Composite--Tanks--(ACI)--Available--from--the Association--for--Composite--Tanks--108-N--State--St--Suite--720, Chicago, IL 60602-(800)368-2105;
- Act-100/88,--"Specification--for--the--Fabrication--of--FRP Glad/Composite--Underground--Storage--Tanks",--revised--March--16, 1988;
- American--National--Standards--Institute--(ANSI)--Available--from--the American--National--Standards--Institute,--1430--Broadway,--New--York,--NY 10018-(212)354-3300;
- ANSI-B31.3--1987,--with--addenda--B31.3a--1988--and--B31.3b--1988,--"Chemical--Plant--and--Petroleum--Refinery--Piping",--(1980);
- ANSI-B31.4--1986,--with--addendum--B31.4a--1987,--"Liquid Transportation--Systems--for--Hydrocarbons,--Liquid--Petroleum Gas,--Anhydrous--Ammonia,--and--Alcohols",--(1981);
- ANSI-Z117.1--"Confined--Spaces--Safety",--(1977);
- American--Petroleum--Institute--(API)--Available--from--the--American Petroleum--Institute,--1220-L--Street,--N.W.,--Washington,--D.C.--20005 (202)682-8000;
- API--Recommended--Practice--1604,--"Removal--and--Disposal--of--Used Underground--Petroleum--Storage--Tanks",--Second--Edition, December--1987;
- API--Recommended--Practice--1615,--"Installation--of--Underground Petroleum--Storage--Systems",--Fourth--Edition,--November--1987;
- API--Recommended--Practice--1621,--"Bulk--Liquid--Stock--Control--at Retail--Outlets",--Fourth--Edition,--December--1987;
- API--Recommended--Practice--1626,--"Storage--and--Handling--Ethanol and--Gasoline--Blends--at--Distribution--Terminals--and--Service--Stations",--First--Edition,--April--1985;
- API--Recommended--Practice--1627,--"Storage--and--Handling--of Gasoline--Methanol/Gasoline--Blends--at--Distribution--Terminals and--Service--Stations",--First--Edition,--August--1986;
- API--Recommended--Practice--1631,--"Interior--Lining--of Underground--Storage--Tanks",--Second--Edition,--December--1987;
- API--Recommended--Practice--1632,--"Cathodic--Protection--of

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Underground--Petroleum--Storage--Tanks--and--Piping--Systems", Second--Edition,--December--1987;

API--Publication--2015,--"Cleaning--Petroleum--Storage--Tanks", Third--Edition,--September--1985;

API--Publication--2015A,--"A--Guide--for--Controlling--the--Lead Hazard--Associated--with--Tank--Entry--and--Cleaning",--Second Edition,--June--1982;

API--Publication--2200,--"Repairing--Crude--Oil--Liquified Petroleum--Gas--and--Product--Pipelines",--Second--Edition,--April--1983;

American--Society--for--Testing--and--Materials--(ASTM)--Available--from the--American--Society--for--Testing--and--Materials,--1916--Race--St., Philadelphia,--PA--19103-(215)299-5400;

ASTM--D4021-86,--"Standard--Specification--for--Petroleum Grass--Fiber--Reinforced--Polyester--Underground--Storage--Tanks",--approved--July--25,--1986;

National--Association--of--Corrosion--Engineers--(NACE)--Available from--the--National--Association--of--Corrosion--Engineers,--1400-S-Creek--Dr.,--Houston,--TX--77084-(713)492-0535;

NACE--Standard--Recommended--Practice--RP0169-83,--"Control--of External--Corrosion--on--Underground--or--Submerged--Metallic Piping--Systems",--revised--January--1983;

NACE--Standard--Recommended--Practice--RP0285-85,--"Control--of External--Corrosion--on--Metallic--Buried,--Partially--Buried,--or Submerged--Liquid--Storage--Systems",--approved--March--1985;

National--Fire--Protection--Association--(NFPA)--Available--from--the National--Fire--Protection--Association,--Battery--March--Park,--Boston, MA--02269-(617)770-3000--or--(800)344-3555;

NFPA--30,--"Flammable--and--Combustible--Liquids--Code",--issued July--17,--1987,--Also--available--from--ANSI;

NFPA--327,--"Standard--Procedures--for--Cleaning--or--Safeguarding Small--Tanks--and--Containers",--issued--December--10,--1986--Also available--from--ANSI;

NFPA--385,--"Tank--Vehicles--for--Flammable--and--Combustible Liquids",--issued--December--7,--1984,--Also--available--from--ANSI;

National--Leak--Prevention--Association--(NELPA)--Available--from--the National--Leak--Prevention--Association,--4090--Rose--Hill--Ave., Cincinnati--OH--45229-(800)543-1838;

NELPA--Standard--631,--"Spill--Prevention--Minimum--10--Year--Life Extension--of--Existing--Steel--Underground--Storage--Tanks--by Lining--Without--the--Addition--of--Cathodic--Protection";

Petroleum--Equipment--Institute--(PEI)--Available--from--the--Petroleum Equipment--Institute--Box--2380,-- Tulsa--OK--74101-(918)243-9941;

PEI/RP100-87,--"Recommended--Practices--for--Installation--of Underground--Liquid--Storage--Systems",--1987--Edition;

Steel--Tank--Institute--(STI)--Available--from--the--Steel--Tank Institute,--728--Anthony--Trail,--Northbrook,--IL--60062-(312)498-1900;

STI-P3,--"Specification--and--Manual--for--Corrosion Protection--of--Underground--Steel--Storage--Tanks",--effective--May



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- 1-1-1987.  
 SFR--Standard-for-Dual-Wall-Underground-Steel-Storage-Tanks--  
 (1986).  
 Underwriters-Laboratories-Inc.--(UL)--Available-from-Underwriters  
 Laboratories--Inc.--Publications--Stocks--333--Pfingsten--Rd--  
 Northbrook--IL-60062-2096-(312)272-8800--extension-2612-or-2622.  
 UL-58--1985--"Standard-for-Steel-Underground-Tanks-for  
 Flammable-and-Combustible-Liquids"--Eighth-Edition--April-15,  
 1986--Also-available-from-ANSI.  
 UL-567--1983--"Standard-for-Pipe-Connectors-for-Flammable  
 and-Combustible-Liquids-and-LP-Gas"--Fifth-Edition--March-12,  
 1984--as-revised-September-30--1985--Also-available-from  
 ANSI.  
 UL-1316--"Standard-for--Glass-Fiber-Reinforced--Plastic  
 Underground--Storage--Tanks--for--Petroleum--Products"--First  
 Edition--July-1--1983--as-revised-April-29--1986-and-March-31  
 1987.  
 Underwriters-Laboratories-of-Canada--(UL-Canada)--Available-from  
 Underwriters-Laboratories-of-Canada--7-Crouse-Rd--Scarborough,  
 Ontario-M1R-3A9-CANADA-(416)757-3611.  
 UL-Canada--Standard--CAN4-S603-M85--"Standard-for-Steel  
 Underground-Tanks-for-Flammable-and-Combustible-Liquids"--  
 First-Edition--June--1985.  
 UL-Canada--Standard--CAN4-S603-1-M85--"Standard-for-Galvanic  
 Corrosion-Protection-Systems-for-Steel-Underground-Tanks-for  
 Flammable-and-Combustible-Liquids"--First-Edition--June--1985.  
 UL-Canada--Standard--CAN4-S615-M83--"Standard-for-Reinforced  
 Plastic-Underground-Tanks-for-Petroleum-Products"--First  
 Edition--February--1983.  
 UL-Canada--Standard--CAN4-S631-M84--"Standard-for-Isolating  
 Bushings-for-Steel-Underground-Tanks-Protected-with-Coatings  
 and-Galvanic-Systems"--First-Edition--May--1984.  
 UL-Canada--Standard--CAN4-S633-M84--"Flexible-Underground-Hose  
 Connectors-for-Flammable-and-Combustible-Liquids"--First  
 Edition--June--1984.  
 UL-Canada--Subject--C107C-M1984--"Guide-for-Glass-Fibre  
 Reinforced-Plastic-Pipe-and-Fittings-for-Flammable-Liquids"--  
 First-Edition--June--1984.  
 Code--of--Federal--Regulations--(CFR)--Available--from--the  
 Superintendent--of--Documents--U.S.--Government--Printing--Office,  
 Washington--D.C.--20403-(202)-783-3238.  
 40-CFR-280--Subpart-E--as-adopted-at-53-Fed-Reg--37194,  
 September-23--1988.  
 40-CFR-280--Subpart-F--as-adopted-at-53-Fed-Reg--37194,  
 September-23--1988.  
 40-CFR-280--Subpart-H--as-adopted-at-53-Fed-Reg--43370,  
 October-26--1988.  
 40-CFR-302-4--302-5-and-302-6-(1987).  
 This-Section-incorporates-no-later-editions-or-amendments.

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- a) The following publications are incorporated by reference in this  
 Subpart:  
 American National Standards Institute (ANSI). Available from the  
 American National Standards Institute, 11 W. 42nd Street, New  
 York, NY 10036 (212)642-4900:  
 ANSI B31.3--1990, with addenda B31.3a--1991, 3b--1992 and  
 3c--1993, "Chemical Plant and Petroleum Refinery Piping"  
 (1980).  
 ANSI B31.4--1989, with addendum B31.4a--1992, "Liquid  
 Transportation Systems for Hydrocarbons, Liquid Petroleum  
 Gas, Anhydrous Ammonia, and Alcohols" (1981).  
 ANSI Z117.1--1989, "Safety Requirements for Confined Spaces"  
 (1977).  
 American Petroleum Institute (API). Available from the American  
 Petroleum Institute, 1220 L Street, N.W., Washington, D.C. 20005  
 (202)682-8000:  
 API Recommended Practice 1604, "Removal and Disposal of Used  
 Underground Petroleum Storage Tanks," Second Edition,  
 December, 1987.  
 API Recommended Practice 1615, "Installation of Underground  
 Petroleum Storage Systems," Fourth Edition, November, 1987.  
 API Recommended Practice 1621, "Bulk Liquid Stock Control at  
 Retail Outlets," Fourth Edition, December, 1987.  
 API Recommended Practice 1626, "Storing and Handling Ethanol  
 and Gasoline-Ethanol Blends at Distribution Terminals and  
 Service Stations," First Edition, April, 1985.  
 API Recommended Practice 1627, "Storage and Handling of  
 Gasoline-Methanol/Cosolvent Blends at Distribution Terminals  
 and Service Stations," First Edition, August, 1986.  
 API Recommended Practice 1631, "Interior Lining of  
 Underground Storage Tanks," Second Edition, December, 1987.  
 API Recommended Practice 1632, "Cathodic Protection of  
 Underground Petroleum Storage Tanks and Piping Systems,"  
 Second Edition, December, 1987.  
 API Publication 2015, "Cleaning Petroleum Storage Tanks,"  
 Third Edition, September, 1985.  
 API Publication 2015A, "A Guide for Controlling the Lead  
 Hazard Associated with Tank Entry and Cleaning," Second  
 Edition, June, 1982.  
 API Publication 2200, "Repairing Crude Oil, Liquified  
 Petroleum Gas, and Product Pipelines," Second Edition, April,  
 1983.  
 American Society for Testing and Materials (ASTM). Available from  
 the American Society for Testing and Materials, 1916 Race St.,  
 Philadelphia, PA 19103 (215)299-5400:  
 ASTM D4021-86, "Standard Specification for  
 Glass-Fiber-Reinforced Polyester Underground Petroleum  
 Storage Tanks," approved July 25, 1986.  
 The BOCA National Codes, available from Building Officials & Code

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Administrators International, Inc., 4051 W. Flossmoor Rd., Country Club Hills, IL 60477-5795 (708)799-2300:  
 Section 707, "Fire Walls and Party Walls," BOCA National Building Code, Twelfth Edition, 1993.  
 National Association of Corrosion Engineers (NACE). Available from the National Association of Corrosion Engineers, 1440 S. Creek Dr., Houston, TX 77084 (713)492-0535:  
 NACE Standard Recommended Practice RP0169-92, "Control of External Corrosion on Underground or Submerged Metallic Piping Systems," revised June 1992.  
 NACE Standard Recommended Practice RP0285-85, "Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems," approved March, 1985.  
 National Fire Protection Association (NFPA). Available from the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269 (617)770-3000 or (800)344-3555:  
 NFPA 30, "Flammable and Combustible Liquids Code," issued 1990. Also available from ANSI.  
 NFPA 70, "National Electrical Code," issued 1993. Also available from ANSI.  
 NFPA 101, "Life Safety Code," issued 1991. Also available from ANSI.  
 NFPA 327, "Standard Procedures for Cleaning or Safeguarding Small Tanks and Containers," issued 1987. Also available from ANSI.  
 NFPA 385, "Tank Vehicles for Flammable and Combustible Liquids," issued 1990. Also available from ANSI.  
 National Leak Prevention Association (NLPA). Available from the National Leak Prevention Association, P.O. Box 1643, Boise, ID 83701-1643 (208)389-2074:  
 NLPA Standard 631, "Spill Prevention, Minimum 10 Year Life Extension of Existing Steel Underground Storage Tanks by Lining Without the Addition of Cathodic Protection," Third Edition, 1991.  
 Petroleum Equipment Institute (PEI). Available from the Petroleum Equipment Institute, Box 2380, Tulsa, OK 74101 (918)494-9696.  
 PEI/RPI00-94, "Recommended Practices for Installation of Underground Liquid Storage Systems," 1994 Edition.  
 Steel Tank Institute (STI). Available from the Steel Tank Institute, 570 Oakwood Road, Lake Zurich, IL 60047 (708)438-8265:  
 STI, "Standard for Dual Wall Underground Steel Storage Tanks," effective February 15, 1991.  
 STI-P3, "Specification and Manual for External Corrosion Protection of Underground Steel Storage Tanks," effective February 1, 1990.  
 STI (ACT-100), "Specification for External Corrosion Protection of FRP Composite Steel Underground Storage Tanks," revised March 6, 1991.  
 Underwriters Laboratories, Inc. (UL). Available from Underwriters

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Laboratories, Inc., Publications Stock, 333 Pfingsten Rd., Northbrook, IL 60062-2096 (708)272-8800:  
 UL 58--1985, "Standard for Steel Underground Tanks for Flammable and Combustible Liquids," Eighth Edition, April 15, 1986. Also available from ANSI.  
 UL 567---1993, "Standard for Pipe Connectors for Flammable and Combustible Liquids and LP-Gas," Seventh Edition, March 12, 1984, as revised August 3, 1990. Also available from ANSI.  
 UL 842--1990, "Valves for Flammable Liquids," Seventh Edition, June 3, 1993. Also available from ANSI.  
 UL 1316, "Standard for Glass-Fiber-Reinforced Plastic Underground Storage Tanks for Petroleum Products," First Edition, July 1, 1983, as revised May 13, 1991. Also available from ANSI.  
 UL 1746--1989, "External Corrosion Protection Systems for Steel Underground Storage Tanks," Second Edition, July 27, 1993. Also available from ANSI.  
 Underwriters Laboratories of Canada (UL Canada). Available from Underwriters Laboratories of Canada, 7 Crouse Rd., Scarborough, Ontario M1R 3A9 CANADA (416)757-3611:  
 UL Canada Standard CAN/ULC-S603-92, "Standard for Steel Underground Tanks for Flammable and Combustible Liquids," Second Edition, August, 1992.  
 UL Canada Standard CAN/ULC-S603.1-92, "Standard for Galvanic Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids," Second Edition, September, 1992.  
 UL Canada Standard CAN4-S615-M83, "Standard for Reinforced Plastic Underground Tanks for Petroleum Products," First Edition, February, 1983.  
 UL Canada Standard CAN4-S631-M84, "Standard for Isolating Bushings for Steel Underground Tanks Protected with Coatings and Galvanic Systems," First Edition, May, 1984.  
 UL Canada Standard CAN/ULC-S633-M90, "Flexible Underground Hose Connectors for Flammable and Combustible Liquids," Second Edition, June, 1990.  
 UL Canada Subject ULC/ORD-C107.7-1992, "Glass Fibre Reinforced Plastic Pipe and Fittings for Flammable Liquids," First Edition, February, 1993.  
 Code of Federal Regulations (CFR). Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401 (202) 783-3238:  
 40 CFR 280.10, 302.5 and 302.6 (1987).  
 This Section incorporates no later editions or amendments.  
 In the above-referenced publications, "may," "can" and "should" are defined as "shall," "must" and "will,"

b2 UL Canada Subject ULC/ORD-C107.7-1992, "Glass Fibre Reinforced Plastic Pipe and Fittings for Flammable Liquids," First Edition, February, 1993.  
 Code of Federal Regulations (CFR). Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401 (202) 783-3238:  
 40 CFR 280.10, 302.5 and 302.6 (1987).  
 This Section incorporates no later editions or amendments.  
 In the above-referenced publications, "may," "can" and "should" are defined as "shall," "must" and "will,"

c2 This Section incorporates no later editions or amendments.  
 In the above-referenced publications, "may," "can" and "should" are defined as "shall," "must" and "will,"

d2 This Section incorporates no later editions or amendments.  
 In the above-referenced publications, "may," "can" and "should" are defined as "shall," "must" and "will,"

(Source: Amended at \_\_\_\_ Ill. Reg. \_\_\_\_ effective \_\_\_\_)



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Section 170.411 USTs Out of Operation One Year

USTs not in operation, as defined by 430 ILCS 15/4, for a period of one year, do not have to be in compliance with Sections 170.420 through 170.430 or 170.450 through 170.540 and may not comply with 170.620 or 170.630 (except as applicable) but shall otherwise comply with this Subpart, as required.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

Section 170.412 Delegation of Authority to Enforce UST Rules and Regulations

Pursuant to 430 ILCS 15/2, the Office of the State Fire Marshal has authority to delegate to the City of Chicago enforcement of its underground storage tank rules and regulations.

a) The methods and procedures of this enforcement do not have to be identical with those of the Office; however, the Office has oversight concerning such enforcement.

b) Subject to the terms of such a delegation agreement, where the Office of the State Fire Marshal is expressly authorized to initiate enforcement action, the City of Chicago has concurrent authority.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

Section 170.420 Design, Construction, Installation and Notification of New UST Systems

a) Tanks--Each tank must be properly designed and constructed, and any portion underground that routinely contains product must be protected from corrosion, in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory as specified below:

1) The tank is constructed of fiberglass-reinforced plastic (the following industry codes, incorporated by reference in Section 170.410, may be used to comply with this subsection: UL-1316, UL-Canada Standard CAN4-S615, or ASTM-D4021, or the tank is constructed of steel and cathodically protected in the following manner:

A) The tank is coated with a suitable dielectric material;

B) Field-installed cathodic protection systems are designed by a corrosion expert;

C) Impressed current systems are designed to allow determination of current operating status as required in Section 170.460(c); and

D) Cathodic protection systems are operated and maintained in accordance with Section 170.460 (The following codes and standards, incorporated by reference in Section 170.410, may be used to comply with this subsection: STI-P3, UL-Canada Standard CAN4-S603, CAN4-S603.1, and

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CAN4-S631, NACE-RP0285 or UL-58, or

3) The tank is constructed of a steel-fiberglass-reinforced plastic composite (The following industry codes, incorporated by reference in Section 170.410, may be used to comply with this subsection: Act-100, or

4) The tank construction and corrosion protection are determined by the Office of the State Fire Marshal to be designed to prevent the release or threatened release of any stored regulated substance in a manner that is no less protective of human health and the environment than subsections (a)(1) through (3). Before the installation of any such tank, its construction and corrosion protection shall be submitted to the Office in writing, and the Office shall issue written approval.

b) Piping--The piping that routinely contains regulated substances and is in contact with the ground must be properly designed, constructed and protected from corrosion in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory as specified below:

1) The piping is constructed of fiberglass-reinforced plastic (the following codes and standards, incorporated by reference in Section 170.410, may be used to comply with this subsection: UL-567, UL-Canada Subject C107C, or UL-Canada Standard CAN4-S633, or

2) The piping is constructed of steel and cathodically protected in the following manner:

A) The piping is coated with a suitable dielectric material;

B) Field-installed cathodic protection systems are designed by a corrosion expert;

C) Impressed current systems are designed to allow determination of current operating status as required in Section 170.460(c); and

D) Cathodic protection systems are operated and maintained in accordance with Section 170.460 (The following codes and standards, incorporated by reference in Section 170.410, may be used to comply with this subsection: NACE-RP0285, API-Recommended Practice-1632, or NACE-RP0285, or

3) The piping construction and corrosion protection are determined by the Office of the State Fire Marshal to be designed to prevent the release or threatened release of any stored regulated substance in a manner that is no less protective of human health and the environment than the requirements in subsections (b)(1) and (2). Before the installation of any such piping, its construction and corrosion protection shall be submitted to the Office in writing, and the Office shall issue written approval.

e) Spill and overfill prevention equipment, to prevent spilling and

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- overfilling associated with product transfer to the UST system; owners and operators must use the following spill and overfill prevention equipment:
- 1) Spill prevention equipment that will prevent release of product to the environment when the transfer hose is detached from the fill pipe (for example, a spill catchment basin); and
  - 2) Overfill prevention equipment that will:
    - A) Automatically shut off flow into the tank when the tank is no more than 95 percent full; or
    - B) Alert the transfer operator when the tank is no more than 90 percent full by restricting the flow into the tank or triggering a high level alarm.
  - 3) Owners and operators are not required to use the spill and overfill prevention equipment specified in subsections (c)(1) and (2) if:
    - A) Alternative equipment is used that is determined by the Office of the State Fire Marshal in writing to be no less protective of human health and the environment than the equipment specified in subsections (c)(1) and (2); or
    - B) The UST system is filled by transfers of no more than 25 gallons at one time.
- d) Installation--All tanks and piping must be properly installed in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and in accordance with the manufacturer's instructions--(Tank and piping system installation practices and procedures described in the following codes, incorporated by reference in Section 170.410, may be used to comply with this subsection--API Recommended Practice 1615-PEI Publication RP100--or ANSI B31.3 and B31.4.)
- e) Certification of installation--All owners and operators must ensure that one or more of the following methods of certification, testing or inspection is used to demonstrate compliance with subsection (d)--by providing a certification of compliance on the UST notification form in accordance with Section 170.440:
- 1) The installer has been certified by the tank and piping manufacturers;
  - 2) The installer has been certified or licensed by the Office of the State Fire Marshal;
  - 3) The installation has been inspected and certified by a registered Professional Engineer with the State who has education and experience in UST system installation;
  - 4) The installation has been inspected and approved by the Office of the State Fire Marshal;
  - 5) All work listed in the manufacturer's installation checklist has been completed; or
  - 6) The owner or operator have complied with another method for ensuring compliance with subsection (d) that is determined by the Office of the State Fire Marshal in writing to be no less protective of human health and the environment.

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- a) Tanks. Each tank shall be properly designed and constructed, and any portion underground that routinely contains product shall be protected from corrosion, in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory as specified below:
- 1) The tank is constructed of fiberglass-reinforced plastic (The following industry codes, incorporated by reference in Section 170.410, may be used to comply with this subsection: UL 1316: UL Canada Standard CAN4-S615; or ASTM D4021.):
    - A) Non-metallic tanks shall meet the requirements of UL 1316, incorporated by reference in Section 170.410.
    - B) To prevent penetration of the tank bottom, all non-metallic tanks shall be equipped with steel striker plates on the tank bottom immediately below any opening which might be used for taking dipstick measurements.
  - C) The diameter of all non-metallic tanks shall be measured before and after back-filling. If deflection of the tank exceeds the maximum allowed by the manufacturer, then the Office of the State Fire Marshal and the manufacturer of the tank shall be notified prior to the tank being placed in use.
  - 2) The tank is constructed of steel and cathodically protected in the following manner:
    - A) The tank is coated with a suitable dielectric material.
    - B) Field-installed cathodic protection systems are designed by a corrosion expert.
    - C) Impressed current systems are designed to allow determination of current operating status as required in Section 170.460(c).
    - D) Cathodic protection systems are operated and maintained in accordance with Section 170.460 (The following codes and standards, incorporated by reference in Section 170.410, may be used to comply with this subsection: STI-P3; UL Canada Standard CAN4-S603, CAN4-S603.1 and CAN4-S631; NACE RP0285 or UL 58.).
    - E) Steel tanks shall meet the requirements of UL 58, incorporated by reference in Section 170.410.
    - F) Metallic tanks shall be thoroughly coated on the outside with tar, asphaltum or other suitable rust-resisting dielectric material.
    - G) Metallic tanks shall not be surrounded or covered by cinders or other material of corrosive effect. Corrosion protection shall be provided in accordance with Section 2-3.3 of NFPA 30, incorporated by reference in Section 170.410, where soil resistivity is 10,000 ohm-centimeters or less. Such corrosion protection shall be in accordance with API 1615, incorporated by reference in Section 170.410.
    - H) Steel tanks built to STI-P3 standard, are approved.



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provided they are installed according to the manufacturer's specifications.

- 1) Steel tanks shall be set on firm foundations and surrounded with at least 12 inches of non-corrosive inert material such as clean sand or gravel, well-tamped in place. The tank shall be placed in the hole with care, since dropping or rolling the tank into the hole can break a weld, puncture or damage the tank, or scrape off the protective coating of coated tanks.

- 2) Steel tanks shall be covered with a minimum of three feet of earth. Tanks existing on October 1, 1985 shall be buried so that the tops of the tanks will not be less than 2 feet below the surface of the ground or beneath 12 inches of earth and a slab of reinforced concrete not less than 4 inches in thickness; the slab shall be set on a firm, well-tamped earth foundation and shall extend at least 1 foot beyond the outline of the tank in all directions. When asphaltic or reinforced paving is used as part of the protection, it shall extend at least one foot horizontally beyond the outline of the tank in all directions.

- 3) The tank is constructed of a steel-fiberglass-reinforced-plastic composite (The following industry codes, incorporated by reference in Section 170.410, may be used to comply with this subsection: Act-100 or UL 1746.); or

- 4) The tank construction and corrosion protection are determined by the Office of the State Fire Marshal to be designed to prevent the release or threatened release of any stored regulated substance in a manner that is no less protective of human health and the environment than subsections (a)(1) through (3). Before the installation of any such tank, its construction and corrosion protection shall be submitted to the Office in writing, and the Office shall issue written approval.

- b) Piping. The piping that routinely contains regulated substances and is in contact with the ground shall be properly designed, constructed and protected from corrosion in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory as specified below:

- 1) The piping is constructed of fiberglass-reinforced plastic (The following codes and standards, incorporated by reference in Section 170.410, may be used to comply with this subsection: UL 567; UL Canada Subject C107C; or UL Canada Standard CAN4-S633.); or

- 2) The piping is constructed of steel and cathodically protected in the following manner:

- A) The piping is coated with a suitable dielectric material.
- B) Field-installed cathodic protection systems are designed by a corrosion expert.

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- C) Impressed current systems are designed to allow determination of current operating status as required in Section 170.460(c).

- D) Cathodic protection systems are operated and maintained in accordance with Section 170.460 or guidelines established by the Office of the State Fire Marshal. (The following codes and standards, incorporated by reference in Section 170.410, may be used to comply with this subsection: NFPA 30; API Recommended Practice 1615; API Recommended Practice 1632; or NACE RP0285.)

- 3) The piping construction and corrosion protection are determined by the Office of the State Fire Marshal to be designed to prevent the release or threatened release of any stored regulated substance in a manner that is no less protective of human health and the environment than the requirements in subsections (b)(1) and (2). Before the installation of any such piping, its construction and corrosion protection shall be submitted to the Office in writing, and the Office shall issue written approval.

- 4) UST wiring procedures. All wiring at UST locations shall be in accordance with NFPA 70, incorporated by reference in Section 170.410. Wiring within 20 feet of tanks, within 20 feet of dispenser pumps or run in the product line trenches shall be installed in rigid metallic conduit or threaded steel conduit. Electrical conduit shall maintain at least six inches of separation from product piping to avoid damage from abrasion or stray electrical current and shall be routed away from product piping. Minimum cover is required in accordance with Table 300-5 of NFPA 70, incorporated by reference in Section 170.410. Intrinsically safe wiring shall be in conduit when installed within Class I locations, as specified in NFPA 70, incorporated by reference in Section 170.410. Caution should be taken when grounding since it impairs cathodic protection of metallic tanks or piping. When locating electrical wiring in the same trench as the product lines, the conduit shall be positioned on either side of the product piping but not above or below the product piping. This electrical conduit shall cross over the top of any product piping whenever a cross-over is necessary. A six inch separation shall be maintained at all times, even during a cross-over. All cross-overs shall be kept to a minimum. All electrical power shall be shut off at the location where installations, repairs or upgrades are in progress.

- c) Spill and overfill prevention equipment. To prevent spilling and overfilling associated with product transfer to the UST system, owners and operators shall use the following spill and overfill prevention equipment:

- 1) Spill prevention equipment that will prevent release of product to the environment when the transfer hose is detached

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- from the fill pipe (for example, a spill catchment basin); and
- 2) Overfill prevention equipment that will:
- Automatically shut off flow into the tank when the tank is no more than 95 percent full; or
  - Alert the transfer operator when the tank is no more than 90 percent full by restricting the flow into the tank or triggering a high-level alarm.
- 3) Owners and operators are not required to use the spill and overfill prevention equipment specified in subsections (c)(1) and (2) if:
- Alternative equipment is used that is determined by the Office of the State Fire Marshal in writing to be no less protective of human health and the environment than the equipment specified in subsections (c)(1) and (2); or
  - The UST system is filled by transfers of no more than 25 gallons at one time.

d)

- 1) Excavation for USTs shall be made with due care to avoid undermining of foundations of existing structures. All USTs under buildings shall be located with respect to existing building foundations and supports so that the loads carried by the latter cannot be transmitted to the tank.

- 2) All tanks and piping shall be properly installed in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and in accordance with the manufacturer's instructions. (Tank and piping system installation practices and procedures described in the following codes, incorporated by reference in Section 170.410, may be used to comply with this subsection: API Recommended Practice 1615; PEI Publication RPI100; or ANSI B31.3 and B31.4.)

- e) Certification of installation. All owners and operators shall ensure that one or more of the following methods of certification, testing or inspection (in addition to subsections (2) (4) (5) and (6), for which there shall be certification of compliance) is used to demonstrate compliance with subsection (d) by providing a certification of compliance on the UST notification form in accordance with Section 170.440:

- The installer has been certified by the tank and piping manufacturers.
- The installer has been certified or licensed by the Office of the State Fire Marshal.
- The installation has been inspected and certified by a registered Professional Engineer with the State who has education and experience in UST system installation.
- The installation has been inspected and approved by the Office of the State Fire Marshal.
- All work listed in the manufacturer's installation checklists has been completed.

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- All applicable Office of the State Fire Marshal guidelines for installation have been adhered to; or
- The owner or operator have complied with another method for ensuring compliance with subsection (d) that is determined by the Office of the State Fire Marshal in writing to be no less protective of human health and the environment.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

Section 170.421 Piping

Materials and Design

- Piping, valves, and fittings for flammable liquids shall be designed for the working pressures and structural stresses to which they may be subjected and approved for their intended use. They shall be of steel or other materials suitable for use with the liquid being handled. Pipe-wall thicknesses determined in accordance with ANSI B31, incorporated by reference in Section 170.410, shall be deemed to comply with this Section, except that carbon steel pipe shall not be thinner than standard wall thickness listed in ANSI B36, incorporated by reference in Section 170.410.
- Non-metallic piping systems conforming to the requirements of ANSI B31, incorporated by reference in Section 170.410, for use with flammable and combustible liquids are permitted underground.
- After installation, piping shall be tested for 30 minutes at a pressure of 50 percent in excess of the working pressure and shall be proven leak proof but no less than 50 PSI for pressurized piping. Suction type piping shall be tested with positive pressure of 5-7 PSI.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

Section 170.422 Clearance Required for Underground Storage Tanks

- Distance to Basement, etc. Individual tanks shall be buried so that the tops of the tanks shall be lower than all floors, basements, cellars or pits of buildings within twenty feet, on or off the property, or tanks shall maintain a clearance of twenty feet to all buildings with basements.
- Distance to Sewers, etc. Individual tanks and piping shall be buried so that the tops of the tanks and piping shall be lower than the bottom level of all sewers, manholes, catch-basins, cesspools, septic tanks, wells or cisterns within twenty feet, on or off the property, or tanks and piping shall maintain a full clearance of twenty feet thereto. The term "sewer" includes sanitary and storm sewer lines out of service station buildings, provided, however, these clearances shall not be required to a sewer line out of a service station if such sewer line is



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- c) constructed throughout of cast iron with lead joints.
- d) Distance to Property Lines. Individual tanks shall be at least twenty feet to property lines. provided, however, that these clearances on the side adjacent to a public street, alley or highway, will be waived by consent of the authority having immediate jurisdiction over the public street, alley or highway, provided that the required sewer clearances will be maintained.
- e) Distance to Special Classes of Property. Tanks and pumps shall maintain a clearance of not less than 300 feet to any mine shaft, air or escape shaft for any mine and 85 feet to any school, institutional, public assembly or theater occupancy, if and as defined in NFPA 101, as referenced in Section 170.10. The distance shall be measured from the nearest points of tanks and pumps to the nearest points of buildings or shafts.
- f) Where the site size makes compliance with these clearance requirements an impossibility or an imposition, as determined by the Office of the State Fire Marshal, a double-walled tank or piping system or both with interstitial monitoring, shall be used and shall be approved by the Office. Interstitial monitor requirement will be waived for European Suction Piping Systems.
- g) Tanks in service on October 1, 1985 may maintain existing underground tank clearances provided they are in conformity with rules in effect on January 1, 1984. New setback distances will be required when upgrading these existing systems, if existing islands or existing tanks are removed, or if new tanks or islands are installed.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## Section 170.423 Pressure Testing

After installation, pressure testing with air or other gases, of underground storage tanks or piping, containing or which have contained flammable or combustible liquids, is prohibited. Except, approved tank or line tightness testing with inert gasses may be utilized, as specified in Sections 170.530 (i) and 170.540 (c).

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## Section 170.424 Venting of Tanks

- a) Each tank shall be provided with a separate vent pipe, connected with the top of the tank and carried up to the outer air. The pipe shall be arranged for proper drainage to storage tank and its lower end shall not extend through top of tank for a distance of more than one inch; it shall have no traps or pockets.
- b) Upper end of the pipe shall be provided with an updraft vent device only, with 40 gauge screening.
- c) Vent pipe shall be of sufficient cross-sectional area to permit

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- escape of air and vapor during the filling operation and in compliance with NFPA 30, incorporated by reference in 170.410, and in no case less than one and one-fourth inches in diameter. If a power pump is used in filling storage tank, and a tight connection is made to the fill pipe, the vent pipe shall not be smaller than the fill pipe.
- d) Vent pipe shall terminate outside of building not less than 12 feet above top of fill pipe, not less than four feet, measured vertically and horizontally, from any window or other building opening, such as a basement, cellar, pit, ventilated soffit or any air intake of any building, and in a location which will not permit pocketing of vapor or liquid. If a tight connection is made in the filling line, the terminus of the vent pipe shall be carried to a point one foot above the level of the highest reservoir from which tank may be filled. The vent piping shall project above adjacent roof lines.
- e) Manifolding of tank vent piping shall be avoided except for required special purposes such as vapor recovery (NFPA 30 2-2.6.3, incorporated by reference in Section 170.410).
- f) No vent piping is allowed inside buildings. It is recommended that stage II vapor recovery vent piping be connected to an individual tank opening.
- g) Adequate collision protection shall be provided for vent piping.
- (Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## Section 170.425 Fill Pipes

- a) Fill pipes shall be carried to a location outside of any building, as remote as possible from any doorway or their opening into any building and in no case closer than five feet from any such opening. Remote fills shall be approved by the Office of the State Fire Marshal.
- b) Location shall be in a place where there is a minimum danger of breakage from trucks or other vehicles.
- c) Each fill pipe shall be closed by a screw cap or other tight fitting cap, of a type which can be locked. The cap shall be locked at all times when filling or gauging process is not being performed.
- d) Adequate collision protection shall be provided for fill pipes which protrude above-grade.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## Section 170.426 Pumps

- a) Petroleum and hazardous substances shall be transferred from tanks by means of fixed pumps so designed and equipped as to allow control of the flow and to prevent leakage or accidental

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discharge; manifolding of product lines or tanks with a siphon bar is prohibited. Supplemental means shall be provided outside of the dispensing device whereby the source of power may be readily disconnected in the event of fire or other accident. Dispensing devices for petroleum and hazardous substances shall meet the requirements of UL 842, incorporated by reference in Section 170.410. Liquid shall be withdrawn from tanks by means of pumps in conformity with Chapter 5 of NFPA 70, incorporated by reference in Section 170.410, and equipped with static wire hose and non-ferrous discharge nozzle.

- b) No pump or dispensing device shall be located within a building.  
 1) Existing pumps and dispensing devices within garages will be permitted provided the dispensing area is:

- A) Not below-grade.
- B) Separated from motor vehicle repair areas, pits and basements.
- C) Protected against physical damage from vehicles by mounting the dispensing unit on a concrete island or by equivalent means.
- D) Located in a position where it cannot be struck by a vehicle descending a ramp or other slope out of control.
- E) Provided with an approved mechanical or gravity ventilation system, and
- F) Provided with a clearly identified switch, readily accessible in case of fire or physical damage to any dispensing units to shut off the power to dispensing units.

- 2) Existing dispensing units located below-grade shall have independent mechanical ventilation systems and the entire dispensing area shall be protected by an automatic sprinkler system, conforming to the requirements of 41 Ill. Adm. Code 100.220.

- A) The ventilation systems shall be electrically interlocked with the gasoline dispensing units, so that the dispensing units cannot be operated unless the ventilating fan motors are energized and operating.

- B) Existing dispensing units located below-grade within buildings shall also meet subsection (b)(1) above.

- c) Curb pumps, or pumps located in any portion of a public street, are prohibited.

- d) Wiring of electric pumps and all electrical equipment in connection therewith shall conform to Chapter 5 of NFPA 70, incorporated by reference in Section 170.410 (product piping and electrical wiring shall be as directed in Section 170.420(b)(4)).

- e) Devices which discharge by gravity are prohibited and shall be removed by January 1, 1986. Gravity devices at service stations which are retained for their novelty or historical interest may be retained at the facility but shall be rendered non-functional.

- f) Systems which employ continuous air pressure on storage tanks in

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connection with gauging or vending devices are prohibited.  
 The use of aboveground storage tanks in connection with gauging or vending devices is prohibited. Retail sale from aboveground tanks is prohibited except as allowed in 41 Ill. Adm. Code 180.

- g) New installations of apparatus for dispensing petroleum into fuel tanks of vehicles shall not be connected to bulk storage tanks.

- h) Dispensing devices at an automotive service station shall be so located that all parts of the vehicle being served will be on the premises of the service station. Openings beneath dispenser enclosure shall be sealed to prevent the flow of leaking fuel to lower building spaces.

- i) Dispensing devices at marine service stations may be located on open piers, wharves, or floating docks, on shore or on piers of the solid-fill type and shall be located away from other structures so as to provide room for safe ingress and egress of craft to be fueled. Marina installations shall follow a checklist, as established by the Office of the State Fire Marshal.

- k) Dispensing units existing prior to September 15, 1978, may be located inside buildings if specific written approval of the Office of the State Fire Marshal was granted and proof of such was submitted by the applicant and verified by the Office. The dispensing area shall be separated from other areas by two-hour fire resistive construction as defined in Section 707 of the BOCA National Building Code, incorporated by reference in Section 170.410. The dispensing area shall be provided with a mechanical or gravity ventilation system, all components of which shall comply with the requirements of NFPA 70, incorporated by reference in Section 170.410.

- l) Kerosene dispensers shall not be located on the same island with petroleum or hazardous substances. Labeling of dispensers shall comply with the Space Heating Safety Act (425 ILCS 65/1, et seq.).

- m) Mechanical retractable hose reels are required on dispenser hoses in excess of 18 feet in length.

- n) Dispenser pumps shall be located outside of buildings and not less than five feet from any building or less than five feet measured vertically and horizontally from any window or other building opening, such as a basement, cellar, pit, ventilated soffit or any air intake or exhaust of any building, and in a location that will not permit pocketing of vapor or liquid. Location of new dispenser pumps shall be in accordance with all items of subsection (b). The Office of the State Fire Marshal shall approve dispenser locations only where in its judgment a safety hazard does not exist.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

Section 170.427 Defective Equipment

Equipment that does not comply with this Subpart shall be taken out of



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service until repaired or replaced with Office of the State Fire Marshal approved equipment.

(Source: Added at Ill. Reg. effective )

## Section 170.430 Upgrading of Existing UST Systems

- a) Alternatives allowed. Not later than December 22, 1998, all existing UST systems must comply with one of the following requirements:
- 1) New UST system performance standards under Section 170.420;
  - 2) The upgrading requirements in subsections (b) through (d); or
  - 3) Temporary closure or removal requirements under Sections 170.620 through 170.670, including applicable requirements for corrective action under 40 CFR 280. Subpart F, incorporated by reference in Section 170.410.
- b) Tank upgrading requirements. Steel tanks must be upgraded to meet one of the following requirements in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory:
- 1) Interior lining. A tank may be upgraded by interior lining if:
    - The lining is installed in accordance with the requirements of Section 170.480 and the following are complied with:
      - A) Tank entry. Before entering tanks, the procedures described in API Publication 2015 and 2016A, incorporated by reference in Section 170.410, shall be complied with. This includes checking the oxygen content inside the tank with a properly calibrated oxygen monitor. At all times, personnel entering the tank shall be equipped with positive pressure air supplied equipment with full face enclosure and safety harness connected to a safety line held by an attendant outside the tank. Oil and water resistant rubber or neoprene boots and gloves shall be worn. Clothing shall cover the arms, legs, torso and head of tank entry personnel. Disposable clothing impervious to product is preferred. Clothing saturated with product shall be removed immediately upon departure from the tank. All personnel working inside the tank shall be familiar with ANSI Z117.1 incorporated by reference in Section 170.410. Tests with the combustible gas indicator and oxygen monitor shall be performed periodically in the tank to ascertain that the tank vapors and oxygen content are in the safe range. It shall be recognized that if the tank is perforated, product or vapors which have leaked into the soil may re-enter the tank through a perforation. The vent line shall remain clear and unobstructed to allow continuous ventilation. All other

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lines and openings shall be plugged or capped off to insure no liquids or vapors may enter the tank during the lining operation.

- B) Application of Lining. Prior to the application of lining material, a 1/4 inch steel reinforcing plate rolled to the contour of the tank and with minimum dimensions of 8 inches by 8 inches shall be installed under the fill (drop) tube and gauging tube. This plate shall be covered with fiberglass cloth imbedded in resin. The blast cleaned surface shall be coated with a eight hours after blasting and before any visible rusting occurs. Only those lining materials meeting the specifications in API Publication 1631, incorporated by reference in Section 170.410, shall be used. Manufacturer's instructions are to be complied with on handling and mixing of resin compounds, and these compounds shall be applied to the entire interior surface of the tank by the manufacturer or the manufacturer's designated distributor following the specified method of application to the designated thickness and at the recommended application temperature. If a heater is used to accelerate the curing process, all other work which might release flammable vapors shall be halted and the heating unit shall be attended whenever it is in operation. The coating shall be cured thoroughly to the manufacturer's specifications and checked for air pockets and pinholes using a Holiday Detector. If any exceptions are found, they shall be repaired to manufacturer's specifications from contamination by foreign matter. The coating thickness shall be checked with an Elcometer Thickness Gauge or equivalent and tested for hardness using a Barcol Hardness Tester or equivalent to ensure compliance with manufacturer's specifications.
- C) Tank Closing. If an opening has been cut, the tank shall be sealed as follows:
- i) A 1/4 inch thick steel cover plate, rolled to the contour of the tank, shall be made to overlap the hole at least two inches on each side (e.g., should measure at least 26 inches by 26 inches if manhole was cut 22 inches by 22 inches);
  - ii) The cover shall be used as a template to locate 3/4 inch diameter holes not exceeding five inch centers, one inch from the edge of the cover;
  - iii) The cover plate shall be sandblasted to white metal on both sides, and the entire inside surface shall be coated with coating material to act as a gasket;
  - iv) Before the coating on the cover cures, the cover

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shall be fastened to the tank using 1/2-inch (minimum) diameter bolts. The bolt shafts are to be placed through the holes from the inside of the tank and held in place by spring clips, then fastened with lock washers and nuts as illustrated in accordance with API Publication 1631, incorporated by reference in Section 170.410; and after being bolted to the tank, the cover plate and surrounding tank surface shall be properly sand blasted, coated with coating material and allowed to cure before backfilling the hole.

D) Tank Lightness Testing. Before backfilling, the tank shall be tightness tested in accordance with Section 170.530(e). Particular attention shall be paid to the cover plate and all exposed fittings.

E) Within 10 years after lining and every five years thereafter, the lined tank is internally inspected and found to be structurally sound with the lining still performing in accordance with original design specifications.

2) Cathodic Protection. A tank may be upgraded by cathodic protection if the cathodic protection system meets the requirements of Section 170.420(a)(2)(B) through (D), and the integrity of the tank is ensured using one of the following methods:

A) The tank is internally inspected and assessed to ensure that the tank is structurally sound and free of corrosion holes prior to installing the cathodic protection system.

B) The tank has been installed for less than 10 years and is monitored monthly for releases in accordance with Section 170.530(d) through (h).

C) The tank has been installed for less than 10 years and is assessed for corrosion holes by conducting two tightness tests that meet the requirements of Section 170.530(e). The first tightness test must be conducted prior to installing the cathodic protection system. The second tightness test must be conducted between three and six months following the first operation of the cathodic protection system or

D) The tank is assessed for corrosion holes by a method that is determined by the Office of the State Fire Marshal to prevent releases in a manner that is no less protective of human health and the environment than subsections (b)(2)(A) through (C); before the utilization of any such method, it shall be submitted to the Office in writing and the Office shall issue written approval.

3) Internal Lining Combined with Cathodic Protection. A tank

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may be upgraded by both internal lining and cathodic protection if:

A) The lining is installed in accordance with the requirements of subsection (b)(1) and Section 170.480; and

B) The cathodic protection system meets the requirements of Section 170.420(a)(2)(B) through (D). The following codes and standards incorporated by reference in this Section 170.410 may be used to comply with this Section: API Recommended Practice 1631; NLRPA Standard 631; NACE RP0285; or API Recommended Practice 1632.

Piping upgrading requirements: Metal piping that routinely contains regulated substances and is in contact with the ground must be cathodically protected in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and must meet the requirements of Section 170.420(b)(2)(B) through (D). The codes and standards listed in Section 170.420(b)(2) may be used to comply with this requirement.

Spill and overfill prevention equipment: To prevent spilling and overfilling associated with product transfer to the UST system, all existing UST systems must comply with new UST system spill and overfill prevention equipment requirements specified in Section 170.420(e).

Alternatives allowed. Not later than December 22, 1998, all existing UST systems shall comply with one of the following requirements:

- 1) New UST system performance standards under Section 170.420;
- 2) The upgrading requirements in subsections (b) through (d); or
- 3) Temporary abandonment in place or removal requirements under Sections 170.620 through 170.670, including applicable requirements for corrective action under Sections 170.600 and 170.610.

Tank upgrading requirements. Steel tanks must be upgraded to meet one of the following requirements in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory:

- 1) Interior lining. A tank may be upgraded by internal lining if: The lining is installed in accordance with the requirements of Section 170.480 and the following are complied with:

A) Tank Entry. Before entering tanks, the procedures described in API Publication 2015 and 2015A, incorporated by reference in Section 170.410, shall be complied with. This includes checking the oxygen content inside the tank with a properly calibrated oxygen monitor. At all times, a personnel entering the tank shall be equipped with positive pressure air supplied equipment with full face enclosure and safety



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harness connected to a safety line held by an attendant outside the tank. Oil and water-resistant rubber or neoprene boots and gloves shall be worn. Clothing shall cover the arms, legs, torso and head of tank entry personnel. Disposable clothing, impervious to product, is preferred. Clothing saturated with product shall be removed immediately upon departure from the tank. All personnel working inside the tank shall be familiar with ANSI Z117.1, incorporated by reference in Section 170.410. Tests with the combustible gas indicator and oxygen monitor shall be performed periodically in the tank to ascertain that the tank vapors and oxygen content are in the safe range. It shall be recognized that if the tank is perforated, product or vapors which have leaked into the soil may re-enter the tank through a perforation. The vent line shall remain clear and unobstructed to allow continuous ventilation. All other lines and openings shall be plugged or capped off to insure no liquids or vapors may enter the tank during the lining operation.

B2)

Application of Lining. Prior to the application of lining material, a 1/4 inch steel reinforcing plate rolled to the contour of the tank and with minimum dimensions of 8 inches by 8 inches shall be installed under the fill (drop) tube and gauging tube. This plate shall be covered with fiberglass cloth embedded in resin. The blast-cleaned surface shall be coated within eight hours after blasting and before any visible rusting occurs. Only those lining materials meeting the specifications in API Publication 1631, incorporated by reference in Section 170.410, shall be used. Manufacturer's instructions are to be complied with on handling and mixing of resin compounds, and these compounds shall be applied to the entire interior surface of the tank by the manufacturer or the manufacturer's designated distributor following the specified method of application, to the designated thickness and at the recommended application temperature. If a heater is used to accelerate the curing process, all other work which might release flammable vapors shall be halted, and the heating unit shall be attended whenever it is in operation. The coating shall be cured thoroughly to the manufacturer's specifications and checked for air pockets and pinholes using a Holiday Detector. If any exceptions are found, they shall be repaired to manufacturer's specifications. The contractor shall protect the coated surfaces from contamination by foreign matter. The coating thickness shall be checked with an Elcometer

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Thickness Gauge or equivalent and tested for hardness using a Barcol Hardness Tester or equivalent to ensure compliance with manufacturer's specifications. Tank Closing. If an opening has been cut, the tank shall be sealed as follows:

C2)

i) A 1/4 inch thick steel cover plate, rolled to the contour of the tank, shall be made to overlap the hole at least two inches on each side (e.g., should measure at least 26 inches by 26 inches if manhole was cut 22 inches by 22 inches);

ii)

The cover shall be used as a template to locate 3/4 inch diameter holes not exceeding five inch centers, one inch from the edge of the cover;

iii)

The cover plate shall be sandblasted to White Metal on both sides, and the entire inside surface shall be coated with coating material to act as a gasket.

iv)

Before the coating on the cover cures, the cover shall be fastened to the tank using 1/2 inch (minimum) diameter bolts. The bolt shafts are to be placed through the holes from the inside of the tank and held in place by spring clips, then fastened with local washers and nuts as illustrated in accordance with API Publication 1631, incorporated by reference in Section 170.410; and

v)

After being bolted to the tank, the cover plate and surrounding tank surface shall be properly sand-blasted, coated with coating material and allowed to cure before backfilling the hole.

D2)

Tank Tightness Testing. Before backfilling, the tank shall be tightness tested in accordance with Section 170.530(c). Particular attention shall be paid to the cover plate and all exposed fittings.

E2)

Within 10 years after lining, and every five years thereafter, the lined tank is internally inspected and found to be structurally sound with the lining still performing in accordance with original design specifications.

22)

Cathodic protection. A tank may be upgraded by cathodic protection if the cathodic protection system meets the requirements of Section 170.420(a)(2)(B) through (D), and the integrity of the tank is ensured using one of the following methods:

A) The tank is internally inspected and assessed to ensure that the tank is structurally sound and free of corrosion holes prior to installing the cathodic protection system;

B2)

The tank has been installed for less than 10 years and is monitored monthly for releases in accordance with Section 170.530(d) through (h);

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- C2) The tank has been installed for less than 10 years and is assessed for corrosion holes by conducting two tightness tests that meet the requirements of Section 170.530(c). The first tightness test shall be conducted prior to installing the cathodic protection system. The second tightness test shall be conducted between three and six months following the first operation of the cathodic protection system; or
- D2) The tank is assessed for corrosion holes by a method that is determined by the Office of the State Fire Marshal to prevent releases in a manner that is no less protective of human health and the environment than subsections (b)(2)(A) through (C); before the utilization of any such method, it shall be submitted to the Office in writing, and the Office shall issue written approval.
- 32) Internal lining combined with cathodic protection. A tank may be upgraded by both internal lining and cathodic protection if:
- A2) The lining is installed in accordance with the requirements of subsection (b)(1) and Section 170.480; and
- B2) The cathodic protection system meets the requirements of Section 170.420(a)(2)(B) through (D). (The following codes and standards, incorporated by reference in Section 170.410, may be used to comply with this Section: API Recommended Practice 1631: NLPD Standard 631; NACE RP0285; or API Recommended Practice 1632.)
- c2) Piping upgrading requirements. Metal piping that routinely contains regulated substances and is in contact with the ground shall be cathodically protected in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and shall meeting the requirements of Section 170.420(b)(2)(B) through (D). (The codes and standards listed in Section 170.420(b)(2) may be used to comply with this requirement.)
- d2) Spill and overfill prevention equipment. To prevent spilling and overfilling associated with product transfer to the UST system, all existing UST systems shall comply with new UST system spill and overfill prevention equipment requirements specified in Section 170.420(c).

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

## Section 170.431 Limitation on Interior Lining of USTs

Effective January 1, 1995, an underground storage tank may only have interior lining applied once without the UST being re-certified--this Section supercedes any incorporation by reference, as cited in Section 170.410.

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(Source: Added at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

## Section 170.440 Notification Requirements for Purposes of UST Registration

- a2) Any owner who brings an underground storage tank system into use after April 21, 1989, must within 30 days of bringing such tank into use, submit, in the form prescribed by the Office of the State Fire Marshal, a notice of existence of such tank system to the Office.
- b2) Owners are required to submit notices under subsection (a) must provide notice for each tank they own. Owners may provide notice for more than one tank using one notification form, but owners who own tanks located at more than one facility or site must file a separate notification form for each separate facility or site.
- c2) Notices required to be submitted under subsection (a) must provide all of the information requested in the form prescribed by the Office of the State Fire Marshal.
- d2) All owners and operators of new UST systems must certify in the notification form compliance with the following requirements:
- 1) Installation of tanks and piping under Section 170.420(a);
- 2) Cathodic protection of steel tanks and piping under Section 170.420(a) and (b);
- 3) Financial responsibility under 40 CFR 280.220 Subpart H; incorporated by reference in Section 170.410; and
- 4) Release detection under Sections 170.510 and 170.520.
- e2) All owners and operators of new UST systems must ensure that the installer certifies in the notification form that the methods used to install the tanks and piping comply with the requirements of Section 170.420(d).
- f2) Any change in information stated in the form as described in subsection (a) is to be submitted to the Office of the State Fire Marshal on an amended form as prescribed by the Office, within 30 days, commencing from the date of such change.
- g2) Beginning April 22, 1989, any person who sells a tank intended to be used as an underground storage tank must notify the purchaser of such tank of the owner's notification obligations under subsection (a). The notification form provided by the Office of the State Fire Marshal may be used to comply with this requirement. Non-heating oil USTs and heating oil USTs not for consumptive use on the premises where stored:
- a2) Any owner of an underground storage tank system in operation at any time after January 1, 1974, and in the ground as of September 24, 1987, shall submit immediately, a notice of existence of such tank system to the Office of the State Fire Marshal, on the form prescribed by the Office.
- 22) Any owner of an underground storage tank system brought into operation on or after April 21, 1989, shall submit, within 30 days of bringing such tank into operation, a notice of existence of such tank system to the Office of the State Fire



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- Marshal, on the form prescribed by the Office.
- 3) Such forms shall be used to determine registrability of USTs. Heating oil USTs for consumptive use on the premises where stored.
  - 1) Any owner of a heating oil underground storage tank system greater than 1100 gallons in capacity and in the ground as of July 11, 1990, shall submit immediately, a notice of existence of such tank system to the Office of the State Fire Marshal, on the form prescribed by the Office.
  - 2) Any owner of a heating oil underground storage tank system greater than 110 gallons to 1100 gallons in capacity and in the ground as of September 6, 1991, shall submit immediately, a notice of existence of such tank system to the Office of the State Fire Marshal, on the form prescribed by the Office.
  - 3) Any owner of a heating oil underground storage tank system greater than 110 gallons in capacity installed after September 6, 1991, shall submit, within 30 days of bringing such tank into operation, a notice of existence of such tank system to the Office of the State Fire Marshal, on the form prescribed by the Office.
  - 4) Such forms shall be used by the Office of the State Fire Marshal to determine registrability of USTs.
  - e) Owners required to submit notices under subsections (a) and (b) shall provide notice for each tank they own. Owners may provide notice for more than one tank using one notification form, but owners who own tanks located at more than one facility shall file a separate notification form for each separate facility.
  - d) Notices required to be submitted under subsections (a) and (b) shall provide all of the information requested in the form prescribed by the Office of the State Fire Marshal.
  - e) Any owner of a new UST system shall certify in the notification form compliance with the following requirements:
    - 1) Installation of tanks and piping under Section 170.420(e);
    - 2) Cathodic protection of steel tanks and piping under Section 170.420(a) and (b);
    - 3) Financial responsibility in accordance with Subpart C; and
    - 4) Release detection under Sections 170.510 and 170.520.
  - f) All owners and operators of UST systems, which have been installed, upgraded or relined at any time since January 1, 1989, shall make a reasonable effort to ensure that the contractor performs the UST activity comply with the requirements of Section 170.420(d), and the contractor shall complete the certification. Such notification form is to be submitted to the Office of the State Fire Marshal within 30 days of the completion of the activity requiring certification.
  - g) Any change in information stated in the form as described in subsections (a) and (b) is to be submitted to the Office of the State Fire Marshal on an amended form, as prescribed by the Office, within 30 days, commencing from the date of such

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- change--this includes, but is not limited to, removal, abandonment-in-place and temporary out-of-service status. A change in ownership is considered a change in information and is the responsibility of each subsequent owner to so report.
- h) Commencing with the effective date of this Section, any person who sells a tank intended to be used as an underground storage tank shall notify the purchaser of such tank of the owner's notification obligations under subsections (a)(2) and (b)(3). The notification form provided by the Office of the State Fire Marshal may be used to comply with this requirement.

(Source: Amended at Ill. Reg. \_\_, effective \_\_)

### Section 170.441 Payment of 1988 Annual UST Fee

The owner of any registered underground petroleum storage tank (excluding heating oil USTs for consumptive use on the premises where stored) in the ground at any time in 1988 and in operation at any time after January 1, 1974, shall pay a 1988 annual fee of \$100 per tank on or before 90 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal."

(Source: Added at Ill. Reg. \_\_, effective \_\_)

### Section 170.442 UST Registration Fees

- a) Heating oil USTs not for consumptive use on the premises where stored and non-heating oil USTs:  
The owner of any underground storage tank that contained petroleum or petroleum products or hazardous substances required to be registered with the Office of the State Fire Marshal prior to September 24, 1987, and who did not so register, shall do so and pay the Office of the State Fire Marshal a registration fee of \$500 per tank on or before 90 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal." For purposes of this subsection, "owner" refers only to the last owner as of September 23, 1987.
- b) Heating oil USTs greater than 1100 gallons for consumptive use on the premises where stored:
  - 1) The owner of any heating oil underground storage tank in the ground as of September 6, 1991, and who first registered the tank with the Office of the State Fire Marshal prior to July 2, 1992, shall pay to the Office a registration fee of \$100 per tank on or before 90 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal."

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- 2) The results of testing from the last two inspections required in subsection (b).

e) Alternative methods of corrosion protection may be used if approved in writing by the Office of the State Fire Marshal.

(Source: Amended at \_\_\_\_ Ill. Reg. \_\_\_\_ effective \_\_\_\_)

## Section 170.470 Compatibility

Owners and operators must shall use an a UST system made of or lined with materials that are compatible with the substance stored in the UST system. Owners and operators storing alcohol blends may use the following codes, incorporated by reference in Section 170.410, to comply with the requirements of this Section: API Recommended Practice 1626 and 1627.)

(Source: Amended at \_\_\_\_ Ill. Reg. \_\_\_\_ effective \_\_\_\_)

## Section 170.480 Repairs Allowed

Owners and operators of UST systems must ensure that repairs will prevent releases due to structural failure or corrosion as long as the UST system is used to store regulated substances. The repairs must meet the following requirements:

- a) Repairs to UST systems must be properly conducted in accordance with a code of practice developed by a nationally recognized association or an independent testing laboratory. (The following codes and standards, incorporated by reference in Section 170.410, may be used to comply with this subsection: NFPA-30; API Publication 2200; API Recommended Practice 1631; or NFPA Standard 631.)
- b) Repairs to fiberglass-reinforced plastic tanks may be made by the manufacturer's authorized representatives or in accordance with ANSI Z117.1 or API Recommended Practice 1631.
- c) Metal pipe sections and fittings that have released product as a result of corrosion or other damage must be replaced. Fiberglass pipes and fittings may be repaired in accordance with the manufacturer's specifications.
- d) Repaired tanks and piping must be tightness tested in accordance with Sections 170.530(G) and 170.540(b) within 30 days following the date of the completion of the repair except as provided in subsection (a)(4).

1) The repaired tank is internally inspected in accordance with ANSI Z117.1 or API Recommended Practice 1631;

2) The repaired portion of the UST system is monitored monthly for releases in accordance with a method specified in Section 170.530(d) through (h) or

3) Another test method is used that is determined by the Office of the State Fire Marshal to be no less protective of human health and the environment than

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- a) Owners and operators must shall ensure that releases due to spilling or overfilling do not occur. The owner and operator must shall ensure that the volume available in the tank is greater than the volume of product to be transferred to the tank before the transfer is made and that the transfer operation is monitored constantly to prevent overfilling and spilling. (The transfer procedures described in NFPA 385, incorporated by reference in Section 170.410, may be used to comply with this subsection. Further guidance on spill and overfill prevention appears in API Recommended Practice 1621 and NFPA Standard 30, incorporated by reference in Section 170.410.)
- b) The owner and operator must shall report, investigate, and clean up any spills and overfills in accordance with Sections 170.570 and 170.580.

(Source: Amended at \_\_\_\_ Ill. Reg. \_\_\_\_ effective \_\_\_\_)

## Section 170.460 Operation and Maintenance of Corrosion Protection

All owners and operators of steel UST systems with corrosion protection must shall comply with the following requirements to ensure that releases due to corrosion are prevented for as long as the UST system is used to store regulated substances:

- a) All corrosion protection systems must shall be operated and maintained to continuously provide corrosion protection to the metal components of that portion of the tank and piping that routinely contain regulated substances and are in contact with the ground; and
- b) All UST systems equipped with cathodic protection systems must shall be inspected for proper operation by a qualified cathodic protection tester in accordance with the following requirements:
  - 1) Frequency. All cathodic protection systems must shall be tested within six months of installation and at least every three years thereafter.
  - 2) Inspection criteria. The criteria that are used to determine that cathodic protection is adequate as required by subsection (b) must shall be in accordance with NACE Standard Recommended Practice RP0169-83 and RP0285-85, incorporated by reference in Section 170.410.
- c) UST systems with impressed current cathodic protection systems must shall also be inspected every 60 days to ensure the equipment is running properly.
- d) For UST systems using impressed current protection, records of the operation of the cathodic protection must shall be maintained (in accordance with Section 170.490) to demonstrate compliance with the performance standards in this section. These records must shall provide the following:
  - 1) The results of the last three inspections required in subsection (c); and



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- 2) The owner of any heating oil underground storage tank in the ground as of September 6, 1991, and who first registered the tank with the Office of the State Fire Marshal on or after July 2, 1992 (never having been registered prior thereto), shall pay to the Office a registration fee of \$500 per tank on or before 90 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal."
- 3) For purposes of subsections (1) and (2), the owner who first registers a heating oil UST is responsible for the fee, which shall be either \$100 or \$500, whichever is applicable, but not both.
- 4) The owner of any heating oil underground storage tank in the ground as of July 11, 1990 but removed prior to September 6, 1991, although regulated, is not required to pay a registration fee.
- 5) The owner of any heating oil underground storage tank installed in the ground on or after July 2, 1992, although regulated, is not required to pay a registration fee.
- c) Heating oil USTs greater than 110 gallons to 1100 gallons for consumptive use on the premises where stored:
- 1) The owner of any heating oil underground storage tank in the ground as of September 6, 1991, and who first registered the tank with the Office of the State Fire Marshal prior to July 2, 1992, shall pay to the Office a registration fee of \$100 per tank on or before 90 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal."
- 2) The owner of any heating oil underground storage tank in the ground as of September 6, 1991, and who first registered the tank with the Office of the State Fire Marshal on or after July 2, 1992 (never having been registered prior thereto), shall pay to the Office a registration fee of \$500 per tank on or before 90 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal."
- 3) For purposes of subsections (1) and (2), the owner who first registers a heating oil UST is responsible for the fee, which shall be either \$100 or \$500, whichever is applicable, but not both.
- 4) The owner of any heating oil underground storage tank installed in the ground on or after July 2, 1992, although regulated, is not required to pay a registration fee.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

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- a) Owners and operators ~~must~~ shall ensure that releases due to spilling or overfilling do not occur. The owner and operator ~~must~~ shall ensure that the volume available in the tank is greater than the volume of product to be transferred to the tank before the transfer is made and that the transfer operation is monitored constantly to prevent overfilling and spilling. (The transfer procedures described in NFPA 385, incorporated by reference in Section 170.410, may be used to comply with this subsection. Further guidance on spill and overfill prevention appears in API Recommended Practice 1621 and NFPA Standard 30, incorporated by reference in Section 170.410.)
- b) The owner and operator ~~must~~ shall report, investigate, and clean up any spills and overfills in accordance with Sections 170.570 and 170.580.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

## Section 170.460 Operation and Maintenance of Corrosion Protection

All owners and operators of steel UST systems with corrosion protection ~~must~~ shall comply with the following requirements to ensure that releases due to corrosion are prevented for as long as the UST system is used to store regulated substances:

- a) All corrosion protection systems ~~must~~ shall be operated and maintained to continuously provide corrosion protection to the metal components of that portion of the tank and piping that routinely contain regulated substances and are in contact with the ground; and
- b) All UST systems equipped with cathodic protection systems ~~must~~ shall be inspected for proper operation by a qualified cathodic protection tester in accordance with the following requirements:
- 1) Frequency. All cathodic protection systems ~~must~~ shall be tested within six months of installation and at least every three years thereafter.
  - 2) Inspection criteria. The criteria that are used to determine that cathodic protection is adequate as required by subsection (b) ~~must~~ shall be in accordance with NACE Standard Recommended Practice RP0169-83 and RP0285-85, incorporated by reference in Section 170.410.
  - c) UST systems with impressed current cathodic protection systems ~~must~~ shall also be inspected every 60 days to ensure the equipment is running properly.
  - d) For UST systems using impressed current protection, records of the operation of the cathodic protection ~~must~~ shall be maintained (in accordance with Section 170.490) to demonstrate compliance with the performance standards in this section. These records ~~must~~ shall provide the following:
    - 1) The results of the last three inspections required in subsection (c); and

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~~these listed in subsections (a)(4)(A) and (B) before the utilization of any such method, it shall be submitted to the Office in writing, and the Office shall issue written approval.~~

- e) ~~Within six months following the repair of any cathodically protected UST system, the cathodic protection system must be tested in accordance with Section 170.460(b) and (c) to ensure that it is operating properly.~~
- f) ~~UST system owners and operators must maintain records of each repair for the remaining operating life of the UST system that demonstrate compliance with the requirements of Section 170.480.~~
- Owners and operators of UST systems shall ensure that repairs will prevent releases due to structural failure or corrosion as long as the UST system is used to store regulated substances. The repairs shall meet the following requirements:

- a) Repairs to UST systems shall be properly conducted in accordance with a code of practice developed by a nationally recognized association or an independent testing laboratory. (The following codes and standards, incorporated by reference in Section 170.410, may be used to comply with this subsection: NFPA 30; API Publication 2200; API Recommended Practice 1631; or NLP A Standard 631.)
- b) Repairs to fiberglass-reinforced plastic tanks may be made by the manufacturer's authorized representatives or in accordance with ANSI Z117.1 or API Recommended Practice 1631.
- c) Metal pipe sections and fittings that have released product as a result of corrosion or other damage shall be replaced. Fiberglass pipes and fittings may be repaired in accordance with the manufacturer's specifications.
- d) Repaired tanks and piping shall be tightness tested in accordance with Sections 170.530(c) and 170.540(b) within 30 days following the date of the completion of the repair except as provided in subsections (d)(1) through (3).
- 1) The repaired tank is internally inspected in accordance with ANSI Z117.1 or API Recommended Practice 1631.
- 2) The repaired portion of the UST system is monitored monthly for releases in accordance with a method specified in Section 170.530(d) through (h); or
- 3) Another test method is used that is determined by the Office of the State Fire Marshal to be no less protective of human health and the environment than those listed in subsections (d)(1) and (2); before the utilization of any such method, it shall be submitted to the Office in writing, and the Office shall issue written approval.
- e) Within six months following the repair of any cathodically protected UST system, the cathodic protection system shall be tested in accordance with Section 170.460(b) and (c) to ensure that it is operating properly.
- f) UST system owners and operators shall maintain records of each

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repair for the remaining operating life of the UST system that demonstrate compliance with the requirements of this Section.

All materials used to make necessary repairs shall comply with Section 170.420.

(Source: Amended at Ill. Reg. effective )

## Section 170.481 Leaking Underground Storage Tanks

- a) When a tank is determined to be leaking, it can be permanently abandoned-in-place, (subject to 170.670), removed, replaced or repaired. In each case where product loss has occurred, a 9 inch galvanized or plastic pipe sump shall be installed and maintained to retrieve any dormant products which might appear at a later date, as approved by Illinois Environmental Protection Agency. Such pipe sump shall have at least 15 percent of its surface as holes or slots to allow product to flow into the sump.
- b) Removal of a leaking tank shall be in compliance with 170.670. Leaking piping shall be removed or abandoned-in-place in compliance with 170.670.
- c) Storage tanks may be glass or epoxy lined, provided that:
- 1) Such repair and the proposed materials are compatible with the product to be stored in such repaired tank.
- 2) The manufacturers of materials used to reline or repair leaking tanks for the storage of petroleum or hazardous substances shall register with the Office of the State Fire Marshal. The manufacturers shall provide and maintain a current annual list of installers of their particular methods and materials for relining and repairing tanks. Such lists shall only contain the names of installers who are certified by the respective manufacturers. This manufacturer's registration shall include the submission of evidence for materials and tank specifications as indicated in NLP A Standard 631, incorporated by reference in Section 170.410.
- d) Emergency repairs to tanks or piping may begin on weekends, holidays and after business hours, with notification to the Office of the State Fire Marshal on the next business day; permit applications for any such tank activity shall be submitted to the Office after-the-fact, as soon as practical. All such repairs shall be inspected and tested prior to the repaired UST system being put back into operation.

(Source: Added at Ill. Reg. effective )

## Section 170.490 Reporting and Recordkeeping

- a) Reporting. Owners and operators shall submit the following information to the Office of the State Fire Marshal:
- 1) Notification for all UST systems (Section 170.440), which



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includes certification of installation for new UST systems (Section 170.420(e));

2) Reports of all releases including suspected releases (Section 170.560), spills and overfills (Section 170.590), and confirmed releases (Section 170.600);

3) Initial response, including leak abatement, site characterization, and fire and explosion mitigation (40-CFR 280-Subpart F--incorporated-by-reference-in-Section-170.410 Sections 170.600 and 170.610); and

4) A notification before removal or change-in-service (40-CFR 280-Subpart F--incorporated-by-reference-in-Section-170.410 Sections 170.630 and 170.671).

b) Recordkeeping. Owners and operators ~~must~~ shall maintain the following information:

- 1) Documentation of operation of corrosion protection equipment (Section 170.460);
- 2) Documentation of UST system repairs [(Section 170.480(f))];
- 3) Recent compliance with release detection requirements (Section 170.550); and
- 4) Results of the site investigation conducted at removal or change-in-service (Section 170.660).

c) Availability and Maintenance of Records. Owners and operators ~~must~~ shall keep the records required either:

- 1) At the UST site and immediately available for inspection by the Office of the State Fire Marshal; or
- 2) At a readily available alternative site in the State and be provided for inspection to the Office of the State Fire Marshal upon request.

3) In the case of removal records required under 40-CFR-280-Subpart F--incorporated-by-reference-in-Section-170.410 Section 170.660, owners and operators are also provided with the additional alternative of mailing removal records to the Office of the State Fire Marshal if they cannot be kept at the site or an alternative site as indicated in subsections (c)(1) and (2).

(Source: Amended at Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

## Section 170.500 General Release Detection Requirements for All UST Systems

- a) ~~Owners and operators of new and existing UST systems must provide a method of combination of methods of release detection that:~~
- 1) ~~Can detect a release from any portion of the tank and the connected underground piping that routinely contains product;~~
  - 2) ~~Is installed, calibrated, operated and maintained in accordance with the manufacturer's instructions, including routine maintenance and service checks for operability or running condition; and~~
  - 3) ~~Meets the performance requirements in Sections 170.530 and~~

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170.540, with any performance claims and their manner of determination described in writing by the equipment manufacturer or installer--in addition, methods used after December 22, 1990 (except for methods permanently installed prior to that date) must be capable of detecting the leak rate of quantity specified for that method in Section 170.530(b) through (d) or 170.540 (a) and (b) with a probability of detection of 0.95 and a probability of false alarm of 0.05.

b) When a release detection method operated in accordance with the performance standards in Sections 170.530 and 170.540 indicates a release may have occurred, owners and operators must notify the Illinois Emergency Services and Disaster Agency in accordance with Sections 170.560 through 170.590.

c) Owners and operators of all UST systems must comply with the release detection requirements of Section 170.500 by December 22 of the year listed in Table A.

d) Any existing UST system that cannot apply a method of release detection that complies with the requirements of Section 170.500 must complete the temporary closure or removal procedures in Sections 170.620 through 170.670 by the date on which release detection is required for that UST system under subsection (c).

a) Owners and operators of new and existing UST systems shall provide a method, or combination of methods, of release detection that:

- 1) Can detect a release from the entire tank and any portion of the connected underground piping that routinely contains product;

2) Is installed, calibrated, operated and maintained in accordance with the manufacturer's instructions, including routine maintenance and service checks for operability or running condition; and

3) Meets the performance requirements in Sections 170.530 and 170.540, with any performance claims and their manner of determination described in writing by the equipment manufacturer or installer. In addition, methods used after December 22, 1990 (except for methods permanently installed prior to that date) shall be capable of detecting the leak rate or quantity specified for that method in Section 170.530(b) through (d) or 170.540 (a) and (b) with a probability of detection of 0.95 and a probability of false alarm of 0.05.

b) When a release detection method operated in accordance with the performance standards in Sections 170.530 and 170.540 indicates a release may have occurred, owners and operators shall notify the Illinois Emergency Management Agency in accordance with Sections 170.560 through 170.590.

c) Owners and operators of all UST systems shall comply with the release detection requirements of this Section by December 22 of the year listed in Table A.

d) Any existing UST system that cannot apply a method of release detection that complies with the requirements of this Section

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shall complete the temporary out-of-service or removal procedures in Sections 170.620 through 170.670 by the date on which release detection is required for that UST system under subsection (c).

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

### Section 170.510 Release Detection Requirements for Petroleum UST Systems

Owners and operators of petroleum UST systems must provide release detection for tanks and piping as follows:

- a) Tanks must be monitored at least every 30 days for releases using one of the methods listed in Section 170.530-(d) through (h) except that:
  - 1) UST systems that meet the performance standards in Sections 170.420 or 170.430, and the monthly inventory control requirements in Section 170.530(a) or (b), may use tank tightness testing (conducted in accordance with Section 170.530(e)) at least every five years until December 22, 1998, or until 10 years after the tank is installed or upgraded under Section 170.430(b), whichever is later;
  - 2) UST systems that do not meet the performance standards in Section 170.420 or 170.430 may use monthly inventory controls (conducted in accordance with Section 170.530(a) or (b)) and annual tank tightness testing (conducted in accordance with Section 170.530(c)) until December 22, 1998 when the tank must be upgraded under Section 170.430 or removed under Section 170.630; or
  - 3) Tanks with a capacity of 550 gallons or less may use weekly tank gauging (conducted in accordance with Section 170.530(b)).
- b) Piping that routinely contains regulated substances must be monitored for releases in a manner that meets one of the following requirements:
  - 1) Pressurized piping under pressure must be equipped with an automatic line leak detector constructed in accordance with Section 170.540(a); and
  - B) Have an annual line tightness test conducted in accordance with Section 170.540(b) or have monthly monitoring conducted in accordance with Section 170.540(c).
- 2) Suction piping under ground piping that conveys regulated substances under suction must either have a line tightness test conducted at least every three years and in accordance with Section 170.540(b) or use a monthly monitoring method conducted in accordance with Section 170.540(c). No release detection is required for suction piping that is designed and constructed to meet the following standards:
  - A) the below-grade piping operates at less than atmospheric

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- pressure;
- B) The below-grade piping is sloped so that the contents of the pipe will drain back into the storage tank if the suction is released;
  - C) Only one check valve is included in each section line;
  - D) The check valve is located directly below and as close as practical to the suction pump; and
  - E) A method is provided that allows compliance with subsections (b)(2)(B) through (D) to be readily determined.

Owners and operators of petroleum UST systems shall provide release detection for tanks and piping as follows:

- a) Tanks shall be monitored at least every 30 days for releases using one of the methods listed in Section 170.530 (d) through (i) except that:
  - 1) UST systems that meet the performance standards in Sections 170.420 or 170.430, and the monthly inventory control requirements in Section 170.530(a) or (b), may use tank tightness testing (conducted in accordance with Section 170.530(c)) at least every five years until December 22, 1998, or until 10 years after the tank is installed or upgraded under Section 170.430(b), whichever is later;
  - 2) UST systems that do not meet the performance standards in Section 170.420 or 170.430 may use monthly inventory controls (conducted in accordance with Section 170.530(a) or (b)) and annual tank tightness testing (conducted in accordance with Section 170.530(c)) until December 22, 1998 when the tank shall be upgraded under Section 170.430 or removed under Section 170.630; or
  - 3) Tanks with a capacity of 550 gallons or less may use weekly tank gauging (conducted in accordance with Section 170.530(b)).
- b) Piping under ground piping that routinely contains regulated substances shall be monitored for releases in a manner that meets one of the following requirements:
  - 1) Pressurized piping under pressure that conveys regulated substances under pressure shall:
    - A) Be equipped with an automatic line leak detector conducted in accordance with Section 170.540(a); and
    - B) Have an annual line tightness test conducted in accordance with Section 170.540(b) or have monthly monitoring conducted in accordance with Section 170.540(c).
  - 2) Suction piping under ground piping that conveys regulated substances under suction shall either have a line tightness test conducted at least every three years and in accordance with Section 170.540(b), or use a monthly monitoring method conducted in accordance with Section 170.540(c). No release detection is required for suction piping that is designed and



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constructed to meet the following standards:

- A) The below-grade piping operates at less than atmospheric pressure.
- B) The below-grade piping is sloped so that the contents of the pipe will drain back into the storage tank if the suction is released.
- C) Only one check valve is included in each suction line.
- D) The check valve is located directly below and as close as practical to the suction pump, and
- E) A method is provided that allows compliance with subsections (b)(2)(B) through (D) to be readily determined.

(Source: Amended at Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

### Section 170.520 Release Detection Requirements for Hazardous Substance UST Systems

Owners and operators of hazardous substance UST systems must provide release detection that meets the following requirements:

- a) Release detection at existing UST systems must meet the requirements for petroleum UST systems in Section 170.510. By December 22, 1998, all existing hazardous substance UST systems must meet the release detection requirements for new systems in subsection (b).
- b) Release detection at new hazardous substance UST systems must meet the following requirements:
  - 1) Secondary containment systems must be designed, constructed and installed to:
    - A) Contain regulated substances released from the tank system until they are detected and removed;
    - B) Prevent the release of regulated substances to the environment at any time during the operational life of the UST system; and
    - C) Be checked for evidence of a release at least every 30 days.
  - 2) Double-walled tanks must be designed, constructed and installed to:
    - A) Contain a release from any portion of the inner tank within the outer wall; and
    - B) Detect the failure of the inner wall.
  - 3) External liners (including vaults) must be designed, constructed and installed to:
    - A) Contain 100 percent of the capacity of the largest tank within its boundary;
    - B) Prevent the interference of precipitation or ground water intrusion with the ability to contain or detect a release of regulated substances; and
    - C) Surround the tank completely (i.e., it is capable of

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preventing lateral as well as vertical migration of regulated substances).

- 4) Underground piping must be equipped with secondary containment that satisfies the requirements of subsection (b) for trench liners jacketing of double-walled pipe, in addition, underground piping that conveys regulated substances under pressure must be equipped with an automatic line-leak detector in accordance with Section 170.540(a). Other methods of release detection may be used if owners and operators:
    - A) Demonstrate to the Office of the State Fire Marshal that an alternate method can detect a release of the stored substance as effectively as any of the methods allowed in Section 170.530(b), through (h), can detect a release of petroleum; the demonstration of any such method shall be by writing submitted to the Office;
    - B) Provide written information to the Office of the State Fire Marshal on effective corrective action technologies, health risks, and chemical and physical properties of the stored substance, and the characteristics of the UST site; and
    - C) Obtain written approval from the Office of the State Fire Marshal to use the alternate release detection method before the installation and operation of the new UST system.
- Owners and operators of hazardous substance UST systems shall provide release detection that meets the following requirements:
- a) Release detection at existing UST systems shall meet the requirements for petroleum UST systems in Section 170.510. By December 22, 1998, all existing hazardous substance UST systems shall meet the release detection requirements for new systems in subsection (b).
  - b) Release detection at new hazardous substance UST systems shall meet the following requirements:
    - 1) Secondary containment systems shall be designed, constructed and installed to:
      - A) Contain regulated substances released from the tank system until they are detected and removed;
      - B) Prevent the release of regulated substances to the environment at any time during the operational life of the UST system; and
      - C) Be checked for evidence of a release at least every 30 days.
    - 2) Double-walled tanks shall be designed, constructed and installed to:
      - A) Contain a release from any portion of the inner tank within the outer wall; and
      - B) Detect the failure of the inner wall.
    - 3) External liners (including vaults) shall be designed,

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constructed and installed to:

- A) Contain 100 percent of the capacity of the largest tank within its boundary;
  - B) Prevent the interference of precipitation or ground-water intrusion with the ability to contain or detect a release of regulated substances; and
  - C) Surround the tank completely (i.e., it is capable of preventing lateral as well as vertical migration of regulated substances).
- 4) Underground piping shall be equipped with secondary containment that satisfies the requirements of subsection (b) (e.g., trench liners, jacketing of double-walled pipe). In addition, underground piping that conveys regulated substances under pressure shall be equipped with an automatic line leak detector in accordance with Section 170.540(a).
- 5) Other methods of release detection may be used if owners and operators:

- A) Demonstrate to the Office of the State Fire Marshal that an alternate method can detect a release of the stored substance as effectively as any of the methods allowed in Section 170.530(b) through (h) can detect a release of petroleum; the demonstration of any such method shall be by writing submitted to the Office;
- B) Provide written information to the Office of the State Fire Marshal on effective corrective action technologies, health risks, and chemical and physical properties of the stored substance, and the characteristics of the UST site; and
- C) Obtain written approval from the Office of the State Fire Marshal to use the alternate release detection method before the installation and operation of the new UST system.

(Source: Amended at \_\_\_\_ Ill. Reg. \_\_\_\_ effective \_\_\_\_)

## Section 170.530 Methods of Release Detection for Tanks

Each method of release detection for tanks used to meet the requirements of Section 170.510 must be conducted in accordance with the following:

- a) Inventory control. Product inventory control (or another test of equivalent performance) must be conducted monthly to detect a release of at least 10 percent of flow through plus 130 gallons on a monthly basis in the following manner:
  - 1) Inventory volume measurements for regulated substance inputs, withdrawals and the amount still remaining in the tank are recorded each operating day;
- 2) The equipment used is capable of measuring the level of product over the full range of the tank's height to the nearest one-eighth of an inch;

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- 3) The regulated substance inputs are reconciled with delivery receipts by measurement of the tank inventory volume before and after delivery;
  - 4) Deliveries are made through a drop tube that extends to within one foot of the tank bottom;
  - 5) Product dispensing is metered and recorded pursuant to Section 8 of the Weights and Measures Act (Ill. Rev. Stat. 1987 ch. 147, par. 100); and
  - 6) The measurement of any water level in the bottom of the tank is made to the nearest one-eighth of an inch at least once a month. Practices described in the API Recommended Practice 1621, incorporated by reference in Section 170.410, may be used, where applicable, as guidance in meeting the requirements of this subsection.
- b) Manual tank gauging. Manual tank gauging must meet the following requirements:
- 1) Tank liquid level measurements are taken at the beginning and ending of a period of at least 36 hours during which no liquid is added to or removed from the tank;
  - 2) Level measurements are based on an average of two consecutive stick readings at both the beginning and ending of the period;
  - 3) The equipment used is capable of measuring the level of product over the full range of the tank's height to the nearest one-eighth of an inch;
  - 4) A leak is suspected and subject to the requirements of 40-CFR 280, Subpart F, incorporated by reference in Section 170.410, if the variation between beginning and ending measurements exceeds the weekly or monthly standards in Table B;
  - 5) Only tanks of 550 gallons or less nominal capacity may use this or the sole method of release detection. Tanks of 551 to 2,000 gallons may use the method in place of manual inventory control in subsection (a). Tanks of greater than 2,000 gallons nominal capacity may not use this method to meet the requirements of subsection (b).
- c) Tank tightness testing. Tank tightness testing (or another test of equivalent performance) must be capable of detecting a 0.1 gallon per hour leak rate from any portion of the tank that routinely contains product while accounting for the effects of thermal expansion or contraction of the product, vapor pockets, tank deformation, evaporation or condensation and the location of the water table.
- d) Automatic tank gauging. Equipment for automatic tank gauging that tests for the loss of product and conducts inventory control must meet the following requirements:
- 1) The automatic product level monitor test can detect a 0.2 gallon per hour leak rate from any portion of the tank that routinely contains product; and
  - 2) Inventory control (or another test of equivalent performance) is conducted in accordance with the requirements of



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- subsections (a) >
- e) Vapor monitoring --- Testing of monitoring for vapors within the soil gas of the excavation zone must meet the following requirements:
- 1) The materials used as a backfill are sufficiently porous (e.g., gravel, sand, crushed rock) to readily allow diffusion of vapors from releases into the excavation area;
- 2) The stored regulated substances or a tracer compound placed in the tank system is sufficiently volatile (e.g., gasoline) to result in a vapor level that is detectable by the monitoring devices located in the excavation zone in the event of a release from the tank;
- 3) The measurement of vapors by the monitoring device is not rendered inoperative by the ground water; rainfall, soil moisture or other known interferences so that a release could go undetected for more than 30 days;
- 4) The level of background contamination in the excavation zone will not interfere with the method used to detect releases from the tank;
- 5) The vapor monitors are designed and operated to detect any significant increase in concentration above background of the regulated substance stored in the tank system; a component or components of that substance, or a tracer compound placed in the tank system;
- 6) In the UST excavation zone, the site is assessed to ensure compliance with the requirements in subsections (c)(1) through (4) and to establish the number and positioning of monitoring wells that will detect releases within the excavation zone from any portion of the tank that routinely contains product; and
- 7) Monitoring wells are clearly marked and secured to avoid unauthorized access and tampering.
- f) Ground water monitoring --- Testing or monitoring for liquids on the ground water must meet the following requirements:
- 1) The regulated substance stored is immiscible in water and has a specific gravity of less than one;
- 2) Ground water is never more than 20 feet from the ground surface and the hydraulic conductivity of the soil(s) between the UST system and the monitoring wells or devices is not less than 0.01 cm/sec (e.g., the soil should consist of gravel, coarse to medium sands, coarse silts or other permeable materials);
- 3) The slotted or perforated portion of the monitoring well casing must be designed to prevent migration of natural soils or filter pack into the well and to allow entry of regulated substance on the water table into the well under both high and low ground water conditions;
- 4) Monitoring wells shall be sealed from the ground surface to the top of the filter pack;

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- 5) Monitoring wells or devices intercept the excavation zone or are close to it as is technically feasible;
- 6) The continuous monitoring devices or manual methods used can detect the presence of at least one eighth of an inch of free product on top of the ground water in the monitoring wells;
- 7) Within and immediately below the UST system excavation zone, the site is assessed to ensure compliance with the requirements in subsections (c)(1) through (5) and to establish the number and positioning of monitoring wells or devices that will detect releases from any portion of the tank that routinely contains product; and
- 8) Monitoring wells are clearly marked and secured to avoid unauthorized access and tampering.
- g) Interstitial monitoring --- Interstitial monitoring between the UST system and a secondary barrier immediately around or beneath it may be used, but only if the system is designed, constructed and installed to detect a leak from any portion of the tank that routinely contains product and also meets one of the following requirements:
- 1) For double-walled UST systems, the sampling or testing method can detect a release through the inner wall in any portion of the tank that routinely contains product; the provisions specified in ST-1 Standard for Dual Wall Underground Storage Tank, incorporated by reference in Section 170.410, may be used as guidance for aspects of the design and construction of underground steel double-walled tanks;
- 2) For UST systems with a secondary barrier within the excavation zone, the sampling or testing method used can detect a release between the UST system and the secondary barrier.
- A) The secondary barrier around or beneath the UST system consists of an artificially constructed material that is sufficiently thick and impermeable (not in excess of 0.00001 cm/sec for the regulated substance stored) to direct a release to the monitoring point and permit its detection;
- B) The barrier is compatible with the regulated substance stored so that a release from the UST system will not cause a deterioration of the barrier allowing a release to pass through undetected;
- C) For cathodically protected tanks, the secondary barrier must be installed so that it does not interfere with the proper operation of the cathodic protection system;
- D) The ground water soil moisture or rainfall will not render the testing or sampling method used inappropriate so that a release could go undetected for more than 30 days;
- E) The site is assessed to ensure that the secondary barrier is always above the ground water and not in a

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25-year flood plain, unless the barrier and monitoring designs are for use under such conditions; and  
 f) Monitoring wells are clearly marked and secured to avoid unauthorized access and tampering;  
 3) For tanks with an internally fitted liner, an automated device can detect a release between the inner wall of the tank and the liner, and the liner is compatible with the substance stored;

- b) Other methods. Any other type of release detection method, or combination of methods, can be used if:
- 1) It can detect a 0.2 gallon-per-hour leak rate or a release of 150 gallons within a month with a probability of detection of 0.95 and a probability of false alarm of 0.05; or
  - 2) The Office of the State Fire Marshal may approve another method if the owner and operator can demonstrate that the method can detect a release as effectively as any of the methods allowed in the subsections (c) through (h); the demonstration of any such method shall be by writing submitted to the Office. In comparing methods, the Office shall consider the size of release that the method can detect and the frequency and reliability with which it can be detected. If the method is approved, the owner and operator must comply with any conditions imposed by the Office on its use to ensure the protection of human health and the environment. Before the utilization of the method, the Office shall issue written approval.

Each method of release detection for tanks used to meet the requirements of Section 170.510 shall be conducted in accordance with the following:

- a) Inventory control. Product inventory control (or another test of equivalent performance) shall be conducted monthly to detect a release of at least 1.0 percent of flow through plus 130 gallons on a monthly basis in the following manner:
  - 1) Inventory volume measurements for regulated substance inputs, withdrawals and the amount still remaining in the tank are recorded each operating day.
  - 2) The equipment used is capable of measuring the level of product over the full range of the tank's height to the nearest one-eighth of an inch.
  - 3) The regulated substance inputs are reconciled with delivery receipts by measurement of the tank inventory volume before and after delivery.
  - 4) Deliveries are made through a drop tube that extends to within one foot of the tank bottom.
  - 5) Product dispensing is metered and recorded, pursuant to Section 8 of the Weights and Measures Act (225 ILCS 470/8), and
  - 6) The measurement of any water level in the bottom of the tank is made to the nearest one-eighth of an inch at least once a month. (Practices described in the API Recommended Practice

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1621, incorporated by reference in Section 170.410, may be used, where applicable, as guidance in meeting the requirements of this subsection.)

- 7) To the extent the above measurements or recordkeeping are the responsibility of the UST owner, the owner or whoever performs those activities on the owner's behalf, shall be knowledgeable in such performance.

b) Manual tank gauging. Manual tank gauging shall meet the following requirements:

- 1) Tank liquid level measurements are taken at the beginning and ending of a period of at least 36 hours during which no liquid is added to or removed from the tank;
  - 2) Level measurements are based on an average of two consecutive stick readings at both the beginning and ending of the period;
  - 3) The equipment used is capable of measuring the level of product over the full range of the tank's height to the nearest one-eighth of an inch;
  - 4) A leak is suspected and subject to the requirements of Sections 170.560 through 170.590, if the variation between beginning and ending measurements exceeds the weekly or monthly standards in Table B;
  - 5) Only tanks of 550 gallons or less nominal capacity may use this as the sole method of release detection. Tanks of 551 to 2,000 gallons may use the method in place of manual inventory control in subsection (a). Tanks of greater than 2,000 gallons nominal capacity may not use this method to meet the requirements of subsection (b).
  - 6) The measurement of any water level in the bottom of the tank is made to the nearest one-eighth of an inch at least once a month. (Practices described in the API Recommended Practice 1621, incorporated by reference in Section 170.410, may be used, where applicable, as guidance in meeting the requirements of this subsection.)
  - 7) To the extent the above measurements or recordkeeping are the responsibility of the UST owner, the owner or whoever performs those activities on the owner's behalf, shall be knowledgeable in such performance.
- c) Precision tank tightness testing, as approved by the Office of the State Fire Marshal. Tank tightness testing (or another test of equivalent performance) shall be capable of detecting a 0.1 gallon per hour leak rate from any portion of the tank that routinely contains product while accounting for the effects of thermal expansion or contraction of the product, vapor pockets, tank deformation, evaporation or condensation and the location of the water table. There are three types of precision testing: (1) 100% volumetric overflow; (2) volumetric underfill with an approved ullage test of negative pressure or inert gas as approved by the Office; or (3) a negative pressure.
- d) Automatic tank gauging. Equipment for automatic tank gauging that



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tests for the loss of product and conducts inventory control shall meet the following requirements:

- 1) The automatic product level monitor test can detect a 0.2 gallon per hour leak rate from any portion of the tank that routinely contains product; and
- 2) Inventory control (or another test of equivalent performance) is conducted in accordance with the requirements of subsection (a). Automatic tank gauging approved for precision testing will satisfy this requirement.

e) Vapor monitoring. Testing or monitoring for vapors within the soil gas of the excavation zone shall meet the following requirements:

- 1) The materials used as a backfill are sufficiently porous (e.g., gravel, sand, crushed rock) to readily allow diffusion of vapors from releases into the excavation area;

- 2) The stored regulated substance, or a tracer compound placed in the tank system, is sufficiently volatile (e.g., gasoline) to result in a vapor level that is detectable by the monitoring devices located in the excavation zone in the event of a release from the tank;

- 3) The measurement of vapors by the monitoring device is not rendered inoperative by the ground-water, rainfall, soil moisture or other known interferences so that a release could go undetected for more than 30 days;

- 4) The level of background contamination in the excavation zone will not interfere with the method used to detect releases from the tank;

- 5) The vapor monitors are designed and operated to detect any significant increase in concentration above background of the regulated substance stored in the tank system, a component or components of that substance, or a tracer compound placed in the tank system; vapor monitor sensors must be permanently installed in the vapor monitor wells;

- 6) In the UST excavation zone, the site is assessed to ensure compliance with the requirements in subsections (e)(1) through (4) and to establish the number and positioning of monitoring wells that will detect releases within the excavation zone from any portion of the tank that routinely contains product; and

- 7) Monitoring wells are clearly marked and secured to avoid unauthorized access and tampering.

- 8) Vapor monitoring wells shall be of sufficient design to allow vapors to be detected from any portion of the tank being monitored and shall be a minimum of four inches in diameter.

f) Ground-water monitoring. Testing or monitoring for liquids on the ground-water shall meet the following requirements:

- 1) The regulated substance stored is immiscible in water and has a specific gravity of less than one;

- 2) Ground-water is never more than 20 feet from the ground

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surface and the hydraulic conductivity of the soil(s) between the UST system and the monitoring wells or devices is not less than 0.01 cm/sec (e.g., the soil should consist of gravels, coarse to medium sands, coarse silts or other permeable materials); ground-water shall be present in the ground-water monitoring wells at all times;

- 3) The slotted or perforated portion of the monitoring well casing shall be designed to prevent migration of natural soils or filter pack into the well and to allow entry of regulated substance on the water table into the well under both high and low ground-water conditions;

- 4) Monitoring wells shall be sealed from the ground surface to the top of the filter pack;

- 5) Monitoring wells or devices intercept the excavation zone or are as close to it as is technically feasible;

- 6) The continuous monitoring devices or manual methods used can detect the presence of at least one-eighth of an inch of free product on top of the ground-water in the monitoring wells;

- 7) Within and immediately below the UST system excavation zone, the site is assessed to ensure compliance with the requirements in subsections (e)(1) through (5) and to establish the number and positioning of monitoring wells or devices that will detect releases from any portion of the tank that routinely contains product;

- 8) Monitoring wells are clearly marked and secured to avoid unauthorized access and tampering;

- 9) The minimum diameter of ground-water monitoring wells shall be six inches; and

- 10) An adequate number of ground-water monitoring wells shall be provided to ensure that a release can be detected from any portion of the tank. Adequacy of such wells is subject to approval of the Office of the State Fire Marshal.

- g) Interstitial monitoring. Interstitial monitoring between the UST system and a secondary barrier immediately around or beneath it may be used, but only if the system is designed, constructed and installed to detect a leak from any portion of the tank that routinely contains product and also meets one of the following requirements:
  - 1) For double-walled UST systems, the sampling or testing method can detect a release through the inner wall in any portion of the tank that routinely contains product; the provisions specified in STI, "Standard for Dual Wall Underground Storage Tank," incorporated by reference in Section 170.410, may be used as guidance for aspects of the design and construction of underground steel double-walled tanks;

- 2) For UST systems with a secondary barrier within the excavation zone, the sampling or testing method used can detect a release between the UST system and the secondary barrier;

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- A) The secondary barrier around or beneath the UST system consists of artificially constructed material that is sufficiently thick and impermeable (not in excess of 0.000001 cm/sec for the regulated substance stored) to direct a release to the monitoring point and permit its detection.
- B) The barrier is compatible with the regulated substance stored so that a release from the UST system will not cause a deterioration of the barrier allowing a release to pass through undetected.
- C) For cathodically protected tanks, the secondary barrier shall be installed so that it does not interfere with the proper operation of the cathodic protection system.
- D) The ground-water, soil moisture or rainfall will not render the testing or sampling method used inoperative so that a release could go undetected for more than 30 days.
- E) The site is assessed to ensure that the secondary barrier is always above the ground-water and not in a 25-year flood plain, unless the barrier and monitoring designs are for use under such conditions.
- F) Monitoring wells are clearly marked and secured to avoid unauthorized access and tampering; and
- G) An adequate number of monitoring wells shall be provided to ensure that a release can be detected from any portion of the tank. Adequacy of the number of such wells is subject to the approval of the Office of the State Fire Marshal.
- 3) For tanks with an internally fitted liner, an automated device can detect a release between the inner wall of the tank and the liner, and the liner is compatible with the substance stored.
- h) Statistical Inventory Reconciliation (SIR).
- 1) The company that uses this method shall provide the Office of the State Fire Marshal a written affirmation that their data collection staff is trained in the data gathering procedures and that only trained staff will be utilized for data collection; all tanks and the location of the facility shall be specified when SIR will be used.
- 2) SIR methods may only be used in conjunction with precision tank tightness testing conducted either annually for tanks that are not upgraded or every five years for tanks that have been upgraded with corrosion protection and spill/overflow prevention devices; and
- 3) A precision tank tightness test, as approved by the Office of the State Fire Marshal, shall be mandatory if two successive monthly data analyses indicate a possible release or are inconclusive.
- 4) The measurement of any water level in the bottom of the tank

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- is made to the nearest one-eighth of an inch at least once a month. (Practices described in the API Recommended Practice 1621, incorporated by reference in Section 170.410, may be used, where applicable, as guidance in meeting the requirements of this subsection.)
- 1) Other methods. Any other type of release detection method, or combination of methods, can be used if:
- The Office of the State Fire Marshal may approve another method if the owner and operator can demonstrate that the method can detect a release as effectively as any of the methods allowed in subsections (c) through (h); the demonstration of any such method shall be by writing submitted to the Office. In comparing methods, the Office shall consider the size of release that the method can detect and the frequency and reliability with which it can be detected. If the method is approved, the owner and operator shall comply with any conditions imposed by the Office on its use to ensure the protection of human health and the environment. Before the utilization of the method, the Office shall issue written approval.
- 1) One copy of each independent third-party evaluation and its protocol for the release detection methods in subsections (c) (d) (e) (h) and (i) shall be submitted to the Office of the State Fire Marshal.
- 2) Only one approved method of primary release detection is required for each tank; although, multiple methods are acceptable.

(Source: Amended at Ill. Reg. effective )

## Section 170.540 Methods of Release Detection for Piping

Each method of release detection for piping used to meet the requirements of Section 170.510 must shall be conducted in accordance with the following:

- a) Automatic line leak detectors. Methods which alert the operator to the presence of a leak by ~~restriction~~ restricting or shutting off the flow of regulated substances through piping or triggering an audible or visual alarm may be used only if they detect leaks of three gallons per hour at 10 pounds per square inch line pressure within one hour. An annual test of the operation of the leak detector must shall be conducted in accordance with the manufacturer's requirements.
- b) Line tightness testing. A periodic test of piping may be conducted only if it can detect a 0.1 gallon per hour leak rate at one and one-half times the operating pressure. For pressurized piping, this operating pressure shall be no less than 50 PSI for 30 minutes; an inert gas, as approved by the Office of the State Fire Marshal, is also acceptable.
- c) Applicable tank methods. Any of the methods in Section 170.530(a) through (hi) may be used if they are designed to detect a release from any portion of the underground piping that routinely contains



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regulated substances, as approved by the Office of the State Fire Marshal.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

### Section 170.541 Installer, Repairer, Reliner or Remover of USTs and Obtaining Permits

Any person who is an installer, repairer, reliner or remover of underground storage tanks is to be licensed by the Office of the State Fire Marshal, and

- a) Pay \$100 per site to the Office of the State Fire Marshal for a permit to install, repair, reliner or remove underground storage tanks.

1) A separate fee is required for each type of activity.

- 2) This fee is to be paid by check or money order made payable to "Office of the State Fire Marshal" and is to be from the installer, repairer, reliner or remover.

3) Only contractors licensed and certified in accordance with Subpart E, and not barred pursuant to Subpart D may obtain permits--the contractors are required to be licensed and certified in the UST activity for which they are applying.

- 4) Only contractors, their employees or subcontractors, may perform the permitted UST activity, in accordance with Subpart E.

5) Only the most current permit application for the activity is to be submitted.

- 6) Permits expire six months from the date they are issued, except that the applicant may apply in writing and be entitled to one six-month extension of the permit during the time the permit is valid, with no additional fee required.

7) Permit applications and issued permits are not transferrable.

- 8) Permit applications and issued permits may only be submitted and amended by contractors licensed and certified in the area of UST activity for which they are applying.

9) A person who is the owner of a UST for which a permit is obtained may not be listed on the permit application as the operator.

- 10) In the event there is a delegation of authority to the City of Chicago to enforce UST rules and regulations, pursuant to 430 ILCS 15/2, subject to the terms of such an agreement, the City has the authority to modify this subsection to issue the permits and collect the fees for its own use.

b) No permit may be issued when a current owner is listed on a permit application who owes fees pursuant to Sections 170.441 or 170.442, until any such fee is paid in full.

- c) No UST activity is to begin without a granted permit, and the permit shall be available at work the site from the person it was issued to, except as indicated in 170.481(d).

d) No UST owner or operator may perform any UST activity on their

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- e) UST, unless the owner complies with the licensing and certification requirements of Subpart E.
- For purposes of this Section, the term "installer" includes "replacer" and "install" includes "replace"; the term "repairer" includes person who upgrades and "repair" includes "upgrade"; and the term "remover" includes person who "abandons-in-place" and "remove" includes "abandon-in-place" a UST.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

### Section 170.542 Approval of Permits and Site Plans

Permits and site plans made to scale shall be submitted in triplicate to the Office of the State Fire Marshal and shall be approved before any new construction, addition or remodeling which alters building size, dispenser locations, or locations or sizes of vehicle service area or storage tanks. Site plans shall be legible and sizes shall be 8" x 11", 8" x 14" or 11" x 17" only; blueprints are not acceptable as site plans. Separate permit application forms are provided for installation, upgrade or repair, relining or abandonment-in-place. Drawings shall carry the name of the person, firm or company proposing the installation, the location with reference to city, village or town, and shall show the following:

- a) The plot to be utilized and its immediate surroundings on all sides; all property lines are to be designated and adjacent streets and highways shall be named.

b) The complete installation as proposed, including tanks and their capacities, class of liquids to be stored, pumps, buildings, drives, and all equipment.

- c) Clearance from tanks to property lines as required by Section 170.422.

d) Type of construction of service station building or buildings, clearly showing that there will be no new basement, cellar or excavation under any portion.

- e) Location of basements, cellars or pits of other buildings on the property or on adjacent property, and location of tanks with reference thereto as required by Section 170.422. If a building as no basement, cellar or pit, please make note to that effect.

f) Location of sewers, manholes, catch basins, cesspools, septic tanks, wells or cisterns (whether on the property, on adjacent property or in adjoining streets, highways or alleys), and location of tanks with reference thereto as required by Section 170.422. If there is no sewer, manhole or catch basin in a street or alley, or no sewer, cesspool, septic tank, well or cistern on a property, a notation to that effect should be made in the proper place.

- g) Location of vent pipe outlets as required by Section 170.424(d) and location of fill pipes as required by Section 170.425.

h) Ventilation of greasing pits as required by Section 170.130, if greasing pit is located within a building or an enclosure.

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- 1) Drawings shall be accompanied by an application for approval made out in triplicate on blanks furnished by the Office of the State Fire Marshal.
- 1) Plans will be approved if they meet the requirements contained in this Subpart and a written granted permit will be issued when the conditions are met.
- 1) Insufficient information submitted with the permit application or an illegible permit application submission is cause for return or denial.
- 1) No UST activity can proceed without a granted permit in the possession of the contractor or representative of the contractor at the UST site, except pursuant to Section 170.481, and the permit shall be available upon request of an Office of the State Fire Marshal representative. A contractor's license can be revoked for performing UST activity in violation of this subsection.
- 1) UST activity performed that is not in compliance with the conditions of the granted permit is cause for contractor suspension or revocation of license or permit revocation.
- 1) Amended permits. Granted permits may be amended only once without a new application fee; except, each change that requires a new contractor, a new site plan or another engineering review to determine acceptability, will require a new application submission and fee.
- 1) Permit applications denied or rejected the second time will require a new application submission and fee.
- 1) Returned applications are void after six months, commencing with the date of original submission.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

### Section 170.543 Tester of Underground Storage Tanks and Cathodic Protection

- a) Any person who is a tester of underground storage tanks or its piping or cathodic protection for another, except a lessor for his or her lessee, is to be licensed by, and pay an annual license fee of \$100 to the Office of the State Fire Marshal on or before 30 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal." The results of such tests are to be reported to the Office of the State Fire Marshal within one-month from the date of each such test on a form prescribed by the Office of the State Fire Marshal, except when a tank fails a test and is suspected of leaking, the result shall be submitted within three working days of the test.
- b) Tank tightness methods shall be third-party evaluated and shall be approved by the Office of the State Fire Marshal.
- c) Tank tightness testers shall be certified by the manufacturer of the testing equipment relied upon to ensure proficiency in the

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- d) tightness testing method.
- d) Also, tank tightness testers shall be licensed and certified in accordance with Subpart F, except they shall not be licensed if they are so barred pursuant to Subpart D.
- e) For purposes of this Section, "license" (or any variation of the term) is synonymous with "registration" (or any variation of the term).

(Source: Added at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

### Section 170.544 USTs Inside or Under Buildings

- a) The floor level shall be above-grade so as to prevent flow of liquids or vapors into buildings and the floors shall be of concrete or other fire resistant construction.
- b) No basement or excavation shall be constructed under any service station building, existing basements under service stations shall be eliminated or provided with mechanical ventilation and only non-sparking explosion proof motors and compressors shall be permitted in existing basements.
- c) No buildings, commencing with the effective date of this Section, shall be constructed over UST systems, in operation or out of operation (for any period of time); unless, they are exempted from removal pursuant to Section 170.670(a)(4) or (5). Any such UST system over which a building is constructed shall not subsequently be eligible for an abandonment-in-place permit, as issued pursuant to Section 170.670(d).
- d) No tanks or dispensers shall be located inside buildings.
- e) Underground product piping connecting tanks and dispensers shall not be routed under buildings whenever feasible.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

### Section 170.545 UST Restrictions at Service Stations

- a) Service station storage shall be underground and the capacity of any single underground storage tank for petroleum shall not exceed 20,000 gallons.
- b) The total aggregate storage at service stations of petroleum shall be limited by the ability to achieve and maintain clearances to basements, sewers, property lines and special classes of property in accordance with Sections 170.420 and 170.422 and clearance between tanks is a minimum of 12 inches.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

### Section 170.550 Release Detection Recordkeeping

All UST system owners and operators ~~must~~ shall maintain records in accordance



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with Section 170.490, demonstration demonstrating compliance with all applicable requirements of Sections 170.510 through 170.560 this Section. These records must shall include the following:

- a) All written performance claims pertaining to any release detection system used and the manner in which these claims have been justified or tested by the equipment manufacturer or installer, must shall be maintained for five years from the date of installation;
- b) The results of any sampling, testing or monitoring must shall be maintained for at least one year, except that the results of tank tightness testing conducted in accordance with Section 170.530(c) must shall be retained until the next test is conducted; and
- c) Written documentation of all calibration, maintenance and repair of release detection equipment permanently located on-site must shall be maintained for at least one year after the servicing work is completed. Any schedules of required calibration and maintenance provided by the release detection equipment manufacturer must shall be retained for five years from the date of installation.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

## Section 170.560 Reporting of Suspected Releases

Owners and operators of UST systems must shall report to the Illinois Emergency Services and Disaster Agency Illinois Emergency Management Agency within 24 hours, and follow the procedures in Section 170.580 for any of the following conditions:

- a) The discovery by owners, operators or others of released regulated substances at the UST site or in the surrounding area (such as the presence of free product or vapors in soils, basements, sewer and utility lines, and nearby surface water);
- b) Unusual operating conditions observed by owners or operators (such as the erratic behavior of product dispensing equipment, the sudden loss of product from the UST system or an unexplained presence of water in the tank), unless system equipment is found to be defective but not leaking and is immediately repaired or replaced; and
- c) Monitoring results from a release detection method required under Sections 170.510 and 170.520 that indicate a release may have occurred, unless:
  - 1) The monitoring device is found to be defective and is immediately repaired, recalibrated or replaced, and additional monitoring does not confirm the initial result; or
  - 2) In the case of inventory control, a second month of data does not confirm the initial result.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

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## Section 170.570 Investigation Due to Off-Site Impacts

When required in writing by the Office of the State Fire Marshal, owners and operators of UST systems must shall follow the procedures in Section 170.580 to determine if the UST system is the source of off-site impacts. These impacts include the discovery of regulated substances (such as the presence of free product or vapors in soils, basements, sewer and utility lines, and nearby surface and drinking waters) that have been observed by the Office of the State Fire Marshal or brought to its attention by another party.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

## Section 170.580 Release Investigation and Confirmation Steps

Unless corrective action is initiated in accordance with 40-CFR-280, Subpart F, incorporated by reference in Section 170.410, owners and operators must investigate and confirm all suspected releases of regulated substances requiring reporting under Section 170.560 within seven days, using the following procedures:

- a) System test--Owners and operators must conduct tests exceeding to the requirements for tightness testing in Sections 170.530(c) and 170.540(b) that determine whether a leak exists in that portion of the tank that routinely contains product, or the attached delivery piping, or both.
  - 1) Owners and operators must repair or replace the UST system and begin corrective action in accordance with 40-CFR 280, Subpart F, incorporated by reference in Section 170.410, if the test results for the system, tank or delivery piping indicate that a leak exists;
  - 2) Further investigation is not required if the test results for the system, tank and delivery piping do not indicate that a leak exists, and if environmental contamination is not the basis for suspecting a release;
  - 3) Owners and operators must conduct a site check as described in subsection (b) if the test results for the system, tank and delivery piping do not indicate that a leak exists but environmental contamination is the basis for suspecting a release.
- b) Site check--Owners and operators must measure for the presence of a release where contamination is most likely to be present at the UST site--in selecting sample types, sample locations and measurement methods, owners and operators must consider the nature of the stored substance, the type of initial alarm or cause for suspicion, the type of backfill, the depth of ground water, and other factors appropriate for identifying the presence and source of the release.
  - 1) If the test results for the excavation zone or the UST site indicate that a release has occurred, owners and operators must begin corrective action in accordance with 40-CFR-280,

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- 2) Subpart F, incorporated by reference in Section 170.410; if the test results for the excavation zone or the UST site do not indicate that a release has occurred, no further investigation is not required.

Unless corrective action is initiated in accordance with Sections 170.600 and 170.610, owners and operators shall investigate and confirm all suspected releases of regulated substances requiring reporting under Section 170.560 within seven days, using the following procedures:

- a) System test. Owners and operators shall conduct tests (according to the requirements for tightness testing in Sections 170.530(c) and 170.540(b)) that determine whether a leak exists in that portion of the tank that routinely contains product, or the attached delivery piping, or both.
  - 1) Owners and operators shall repair, replace or upgrade the UST system and begin corrective action in accordance with Sections 170.600 and 170.610, if the test results for the system, tank or delivery piping indicate that a leak exists.
  - 2) Further investigation is not required if the test results for the system, tank and delivery piping do not indicate that a leak exists, and if environmental contamination is not the basis for suspecting a release.
  - 3) Owners and operators shall conduct a site assessment as described in subsection (b) if the test results for the system, tank and delivery piping do not indicate that a leak exists, but environmental contamination is the basis for suspecting a release.
- b) Site assessment. Owners and operators shall measure for the presence of a release where contamination is most likely to be present at the UST site. In selecting sample types, sample locations and measurement methods, owners and operators shall consider the nature of the stored substance, the type of initial alarm or cause for suspicion, the type of backfill, the depth of ground-water, and other factors appropriate for identifying the presence and source of the release.
  - 1) If the test results for the excavation zone or the UST site indicate that a release has occurred, owners and operators shall begin corrective action in accordance with Sections 170.600 and 170.610.
  - 2) If the test results for the excavation zone or the UST site do not indicate that a release has occurred, further investigation is not required.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

## Section 170.590 Reporting and Cleanup of Spills and Overfills

- a) Owners and operators of UST systems must contain and immediately clean up a spill or overflow and report to the Illinois Emergency Services and Disaster Agency within 24 hours, and begin corrective

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action in accordance with 40 CFR 280. Subpart F, incorporated by reference in Section 170.410, in the following cases:

- 1) Spill or overflow of petroleum that results in a release to the environment that exceeds 25 gallons or that causes a sheen on nearby surface water; and
  - 2) Spill or overflow of a hazardous substance that results in a release to the environment that equals or exceeds its reportable quantity under 40 CFR 302.4 and 302.5, incorporated by reference in Section 170.410.
- b) Owners and operators of UST systems must contain and immediately clean up a spill or overflow of petroleum that is less than 25 gallons, and a spill or overflow of a hazardous substance that is less than the reportable quantity, in doing so, procedures specified in Section 170.610 (a) through (d) shall be complied with. If cleanup cannot be accomplished within 24 hours, owners and operators must immediately notify the Illinois Emergency Services and Disaster Agency (ESDA), under 40 CFR 302.6, incorporated by reference in Section 170.410, a release of a hazardous substance equal to or in excess of its reportable quantity must also be reported immediately (rather than within 24 hours) to the National Response Center (800/424-8800). In addition, 35 Ill. Adm. Code 4800/782-7860, addition, 35 Ill. Adm. Code 750.430 requires notification of ESDA (800/782-7860).
- a) Owners and operators of UST systems shall contain and immediately clean up a spill or overflow and report to the Illinois Emergency Management Agency within 24 hours, and begin corrective action in accordance with Sections 170.600 and 170.610, in the following cases:
    - 1) Spill or overflow of petroleum that results in a release to the environment that exceeds 25 gallons, or that causes a sheen on nearby surface water; and
    - 2) Spill or overflow of a hazardous substance that results in a release to the environment that equals or exceeds its reportable quantity under 40 CFR 302.1 and 302.5, incorporated by reference in Section 170.410.
  - b) Owners and operators of UST systems shall contain and immediately clean up a spill or overflow of petroleum that is 25 gallons or less, and a spill or overflow of a hazardous substance that is less than the reportable quantity, in doing so, procedures specified in Section 170.610 (a) through (d) shall be complied with. If cleanup cannot be accomplished within 24 hours, owners and operators shall immediately notify the Illinois Emergency Management Agency (IEMA), (Under 40 CFR 302.1, incorporated by reference in Section 170.410, a release of a hazardous substance equal to or in excess of its reportable quantity shall also be reported immediately (rather than within 24 hours) to the National Response Center (800/424-8800). In addition, 35 Ill. Adm. Code 750.430 requires notification of IEMA (800/782-7860)).



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- b) Visually inspect any aboveground releases or exposed belowground releases and prevent further migration of the released substance into surrounding soils and ground-water;
- c) Continue to monitor and mitigate any additional fire and safety hazards posed by vapors or free product that have migrated from the UST excavation zone and entered into subsurface structures (such as sewers or basements);
- d) Remedy hazards posed by contaminated soils that are excavated or exposed as a result of release confirmation, site investigation, abatement or corrective action activities. If these remedies include treatment or disposal of soils, the owner and operator shall comply with applicable State and local requirements; and
- e) Measure for the presence of a release where contamination is most likely to be present at the UST site, unless the presence and source of the release have been confirmed in accordance with the site assessment required by Section 170.580(b) or the removal site assessment of Section 170.640(a). In selecting sample types, sample locations and measurement methods, the owner and operator shall consider the nature of the stored substance, the type of backfill, depth to ground-water, and other factors as appropriate for identifying the presence and source of the release.

(Source: Amended at Ill. Reg. effective )

## Section 170.620 Temporary Out-of-Service Status for UST Systems

- a) The owner of an UST system in a state of non-use who wants the system classified as temporarily out of service shall submit a written statement in accordance with Section 170.670.
- b) When an UST system is temporarily closed, owners and operators must continue operation and maintenance of corrosion protection in accordance with Section 170.460, and any release detection in accordance with Sections 170.500 through 170.550. Sections 170.560 through 170.610 and 40 CFR 280, Subpart F, incorporated by reference in Section 170.410, must be complied with if a release is suspected or confirmed. However, release detection is not required as long as the UST system is empty. The UST system is empty when all materials have been removed using commonly employed practices so that no more than 2.5 centimeters (one inch) of residue or 0.3 percent by weight of the total capacity of the UST system remain in the system.
- c) When an UST system is temporarily closed for three months or more, owners and operators must also comply with the following requirements:
- 1) Leave vent lines open and functioning; and
  - 2) Cap and secure all other lines, pumps, manways and ancillary equipment.
- d) When an UST system is temporarily closed for more than 12 months, owners and operators must remove the UST system if it does not

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(Source: Amended at Ill. Reg. effective )

## Section 170.600 Initial Response for UST Systems Containing Petroleum or Hazardous Substances

Upon confirmation of a release in accordance with Section 170.580 or after a release from the UST system is identified in any other manner, owners and operators must shall perform the following initial response actions within 24 hours of a release:

- a) Report the release to the Illinois Emergency Services and Disaster Agency Illinois Emergency Management Agency (e.g., by telephone or electronic mail);
- b) Take immediate action to prevent any further release of the regulated substance into the environment; and
- c) Identify and mitigate fire, explosion and vapor hazards.

(Source: Amended at Ill. Reg. effective )

## Section 170.610 Initial Abatement Measures and Site Assessment

Unless directed in writing to do otherwise by the Office of the State Fire Marshal, owners and operators must perform the following abatement measures:

- a) Remove as much of the regulated substance from the UST system as is necessary to prevent further release to the environment;
- b) Visually inspect any aboveground releases or exposed belowground releases and prevent further migration of the released substance into surrounding soils and ground-water;
- c) Continue to monitor and mitigate any additional fire and safety hazards posed by vapors or free product that have migrated from the UST excavation zone and entered into subsurface structures (such as sewers or basements);
- d) Remedy hazards posed by contaminated soils that are excavated or exposed as a result of release confirmation, site investigation, abatement or corrective action activities. If these remedies include treatment or disposal of soils, the owner and operator must comply with applicable State and local requirements; and
- e) Measure for the presence of a release where contamination is most likely to be present at the UST site, unless the presence and source of the release have been confirmed in accordance with the site check required by Section 170.580(b) or the removal site assessment of Section 170.640(a). In selecting sample types, sample locations and measurement methods, the owner and operator must consider the nature of the stored substance, the type of backfill, depth to ground-water, and other factors as appropriate for identifying the presence and source of the release.

Unless directed in writing to do otherwise by the Office of the State Fire Marshal, owners and operators shall perform the following abatement measures:

- a) Remove as much of the regulated substance from the UST system as is necessary to prevent further release to the environment;

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meet either performance standards in Section 170.420 for new UST systems or the upgrading requirements in Section 170.430, except that the spill and overflow equipment requirements do not have to be met. Owners and operators must remove the substandard UST systems at the end of this 12-month period in accordance with Sections 170.630 through 170.660, unless the Office of the State Fire Marshal provides in writing an extension of the 12-month temporary closure period. Owners and operators must complete a site assessment in accordance with Section 170.640 before such an extension can be applied for, and submit the request for an extension and the site assessment in writing to the Office of the State Fire Marshal within that 12-month period.

e) Temporarily out-of-service tanks may be left in place for a period of two years commencing from the date of non-use, provided the criteria as specified in this Section are complied with during the first year of such non-use. An underground storage tank abandoned for a one-year period that is not in compliance with these criteria may not then comply and be classified as temporarily out-of-service.

a) The owner of a UST system in a state of non-use who wants the system classified as temporarily out-of-service, shall submit a written request to the Office of the State Fire Marshal. The written request shall be submitted within three months from the date of non-use.

b) When a UST system is temporarily out-of-service, owners and operators shall continue operation and maintenance of corrosion protection in accordance with Section 170.460, and any release detection in accordance with Sections 170.500 through 170.550. Sections 170.560 through 170.610, shall be complied with if a release is suspected or confirmed. However, release detection is not required as long as the UST system is empty. The UST system is empty when all materials have been removed using commonly employed practices so that no more than 2.5 centimeters (one inch) of residue, or 0.3 percent by weight of the total capacity of the UST system, remain in the system.

c) When a UST system is temporarily out-of-service for three months or more, owners and operators shall also comply with the following requirements:

1) Leave vent lines open and functioning; and

2) Cap and secure all other lines, pumps, manways and ancillary equipment.

d) When a UST system is temporarily closed for more than 12 months, owners and operators shall remove the UST system if it does not meet either performance standards in Section 170.420 for new UST systems or the upgrading requirements in Section 170.430, except that the spill and overflow equipment requirements do not have to be met. Owners and operators shall remove the substandard UST system at the end of this 12-month period in accordance with Sections 170.630 through 170.671, unless the Office of the State

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Fire Marshal provides in writing an extension of the 12-month temporary out-of-service period. Owners and operators shall complete a site assessment in accordance with Section 170.640 before such an extension can be applied for, and submit the request for an extension and the site assessment in writing to the Office of the State Fire Marshal within that 12-month period.

e) Temporarily out-of-service tanks, which have received the extension in subsection (d), shall be removed at the end of that 12-month period in accordance with Sections 170.630 through 170.671.

f) An underground storage tank brought back into use during either 12-month period, for which it had received authorized temporary out-of-service status, is no longer so classified and must submit an amended notification form, so stating.

g) Any change in the status of a UST system, as a result of adherence to this Section, requires compliance with notification requirements, as specified in Section 170.440(g).

(Source: Amended at Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

## Section 170.630 Change-in-Service of UST Systems

Continued use of an UST system to store a non-regulated substance (so that it is no longer classified as an UST system) is considered a change-in-service. Before a change-in-service, owners and operators must empty and clean the tank by removing all liquid and accumulated sludge and conduct a site assessment in accordance with Section 170.640. However, a change-in-service may only occur during the first two years, commencing with the date of installation of the tank.

a) From a Regulated Substance to a Non-Regulated Substance:

Continued use of a UST system to store a non-regulated substance (so that it is no longer classified as an UST system) is considered a change-in-service. Before a change-in-service, owners and operators shall empty and clean the tank by removing all liquid and accumulated sludge, and conduct a site assessment in accordance with Section 170.640. However, a change-in-service, as defined in this subsection, may only occur during the first two years, commencing with the date of installation of the tank.

b) From a Regulated Substance to a Regulated Substance:

A change-in-service also consists of a conversion of a petroleum UST to a hazardous substance UST and vice versa. Before a change-in-service, owners and operators shall empty and clean the tank by removing all liquid and accumulated sludge and conduct a site assessment in accordance with Section 170.640.

c) From a Non-Regulated Substance to a Regulated Substance:

A non-UST system tank, which is used to store a non-regulated substance, may not be converted to a UST system tank, unless the tank has been re-certified and is in compliance with all applicable upgrade requirements.



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(Source: Amended at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

### Section 170.640 Assessing the Site at Removal or Change-in-Service of UST Systems

- a) Before removal or a change-in-service is completed, owners and operators must measure for the presence of a release where contamination is most likely to be present at the UST site in selecting sample types, sample locations and measurement methods, owners and operators must consider the method of removal, the nature of the stored substance, the type of backfill, the depth to ground water and other factors appropriate for identifying the presence of a release. The requirements of Section 170.640 are satisfied if one of the external release detection methods allowed in Section 170.530(e) and (f) is operating in accordance with the requirements in Section 170.530 at the time of removal, and indicates no release has occurred.
- b) If contaminated soils, contaminated ground water, or free product as a liquid or vapor is discovered under subsection (a), or by any other manner, owners and operators must begin corrective action in accordance with 40 CFR 280.5, incorporated by reference in Section 170.410.

- a) After removal or a change-in-service is completed, the owner and operator shall perform a site assessment by measuring for the presence of a release where contamination is most likely to be present at the UST site. In selecting sample types, sample locations and measurement methods, the owner or operator shall consider the method of removal, the nature of the stored substance, the type of backfill, the depth to ground water and other factors appropriate for identifying the presence of a release. The requirements of this Section are satisfied if one of the external release detection methods allowed in Section 170.530(e) and (f) is operating in accordance with the requirements in Section 170.530 at the time of removal, and indicates no release has occurred.

- b) The Office of the State Fire Marshal provides no additional guidance to performing a site assessment; this is the responsibility of the owner or operator.

- c) If contaminated soils, contaminated ground water, or free product as a liquid or vapor is discovered under subsection (a), or by any other manner, owners and operators shall begin corrective action in accordance with Sections 170.600 and 170.610.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

### Section 170.650 Applicability to Previously Removed UST Systems

When directed in writing by the Office of the State Fire Marshal, the owner and operator of a UST system removed before December 22, 1998 April 21,

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1989, must shall assess the excavation zone (including, if so ordered, re-excavating and assessing the site where the tank had been located) in accordance with Section 170.640 if release from the UST may have, in the judgment of the Office, pose a current or potential threat to human health and or the environment.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

### Section 170.660 Removal or Change-in-Service Records

Owners and or operators must shall maintain records in accordance with Section 170.490 that are capable of demonstrating compliance with removal and change-in-service requirements under Sections 170.620 through 170.670. The results of the excavation zone assessment required in Section 170.671. The results of the excavation zone assessment required in Section 170.640 must shall be maintained for at least three years after completion of removal or change-in-service in one of the following ways:

- By the owners and or operators who took the UST system out of service;
- By the current owners and or operators of the UST system site; or
- By mailing these records to the Office of the State Fire Marshal, if they cannot be maintained at the facility where the tank has been removed.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

### Section 170.670 Abandonment Removal or Removal Abandonment-in-Place of Underground Storage Tanks

For the purposes of this Section, "abandonment" is defined as the relinquishing of an underground storage tank to non-use for 12 consecutive months. However, if during that one-year period, the owner of the underground storage tank submits in writing a statement to the Office of the State Fire Marshal, Division of Petroleum and Chemical Safety that the tank will be reused within the immediate subsequent 12-month period, the tank will not be considered abandoned until the end of the two-year period commencing from the date of non-use and will be considered temporarily out-of-service, provided the required criteria in Section 170.620 are complied with.

- Underground storage tanks abandoned one year, shall be removed from the site within the immediate subsequent year unless a waiver is granted pursuant to subsection (c) below. The process for removal of any UST shall be:
  - Notification;
  - Notice of removal of tanks shall be given to the Office of the State Fire Marshal, Division of Petroleum and Chemical Safety, in writing, at least 30 days prior to the removal, giving the location of the tank, the size of the tank and any other information which would help identify which tank is to be removed if there is more than one tank underground at that location, unless such

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action-is-in-response-to--corrective-action---In-the event-of-a-significant-release-the-Office-of-the-State Fire-Marshall-shall-waive-the-thirty-day-notice requirement---The-required-assessment-of-the-excavation zone-under-Section-170.640-must-be-performed-after notifying-the-Office-of-the-State-Fire-Marshall-but before-completion-of-the-removal

B) Notice-of-removal-of-tanks-shall-be-given-to-the-Office of-the-State-Fire-Marshall-Division-of-Petroleum-and Chemical-Safety-by-telephone-no-more-than-five-days and-at-least-before-12:00-p.m.-three-working-days-before to-the-date-of-removal

2) Removal:

A) Remove-all-flammable-or-combustible-liquid-and-all accumulated-sudges-from-tank-and-from-connecting-lines;

B) Disconnect-piping-at-all-tank-openings;

C) Remove-all-sections-of-connecting-lines-which-are-not-to be-used-further-and-cap-or-plug-all-tank-openings;

D) Remove-tank-from-ground-and

E) After-removal-the-tank-shall-be-gas-freed-(vapors-from the-combustible-or-flammable-liquid-from-the-tank-are not-present-in-a-concentration-sufficient-to-support combustion)-on-the-premises-in-accordance-with-Section-4 of-API-Recommended-Practice-1604-incorporated-by reference-in-Section-170.410-or-or-shall-be-transported, in-a-compliance-with-Illinois-Environmental-Protection Agency-regulations-(including-35-Ilcr-Adm-Code-807.210 or-607.310-or-809.201-or-809.301-as-applicable)-to-an area-not-accessible-to-the-public-and-the-gas-freeing completed-at-that-location

F) In-the-event-of-a-tank-releasing-or-suspected-of releasing-a-flammable-or-combustible-liquid-the-tank shall-be-gas-freed-(vapors-from-the-combustible-or flammable-liquid-from-the-tank-are-not-present-in-a concentration-sufficient-to-support-combustion)-in accordance-with-Section-4-of-API-Recommended-Practice 1604-incorporated-by-reference-in-Section-170.410 prior-to-removal-of-the-tank-from-the-excavation-zone

Disposal-of-tanks:  
If-a-tank-is-to-be-disposed-of-as-junk-it-shall-be-retested for-combustible-or-flammable-vapors-and-if-necessary, ordered-gas-free-(vapors-from-the-combustible-or-flammable liquid-from-the-tank-are-not-present-in-a-concentration sufficient-to-support-combustion)-After-removal-and-before releasing-to-junk-dealer-a-sufficient-number-of-holes-or openings-(at-least-two-percent-of-the-total-surface-area-of the-tank)-shall-be-made-in-it-to-render-it-inoperative-for further-use-as-a-USF---Section-4.3-and-7-of-API-Recommended Practice-1604-incorporated-by-reference-in-Section-170.410

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provide-information-on-safe-procedures-for-such-an-operation. Abandoned-tanks-filled-with-sand-or-pea-gravel-prior-to-October-1, 1985-need-not-be-removed;-however-the-owner(s)-shall-provide documentation-of-fill-material-and-date-of-fill-upon-request-by the-Office-of-the-State-Fire-Marshall-The-documentation-shall-be a-receipt-or-a-written-statement-from-the-contractor-who-did-the fill-a-statement-from-the-inspector-who-inspected-the-tank-or-a written-statement-from-anyone-designated-by-the-State-Fire-Marshall or-the-Director-of-the-Division-of-Petroleum-and-Chemical-Safety.

Waiver-of-the-removal-requirement-for-a-tank-allowing-it-to-be abandoned-in-place-shall-be-granted-where-it-would-be-infeasible to-remove-the-tank-due-to-loss-of-adjacent-or-subjacent-support-of nearby-structures-railroad-tracks-streets-as-defined-in-Section 4-201-of-the-Illinois-Vehicle-Code-(Ill. Rev. Stat., 1987-Chr. 95 1/2-par. 1-201)-or-other-tanks-The-following-criteria-shall-be met:

1) A-complete-plan-or-diagram-of-the-area-shall-be-provided-and show-the-location-of-tanks-fill-pipes-vent-lines-sewers, streets-product-lines-and-buildings;

2) A-statement-of-need-shall-be-provided-which-includes-but-is not-limited-to-facility-name-and-location-number-and-size-of tanks-involved-and-an-explanation-of-why-the-waiver-is requested;

3) A-certification-shall-be-provided-to-the-Office-of-the-State Fire-Marshall-Division-of-Petroleum-and-Chemical-Safety-that the-subject-tank-is-not-currently-leaking-or-has-leaked-in the-past;

4) The-tank-shall-be-filled-with-inert-material-such-as-sand, gravel-clay-bentonite-or-inert-material-mixed-with portland-cement-to-increase-flowability-inert-foam-material may-be-used-upon-written-approval-by-the-Office-of-the-State Fire-Marshall-if-a-sufficient-amount-of-other-inert-material is-used-to-counteract-buoyancy-of-the-tank-filling-a-tank with-ready-mix-concrete-is-prohibited-the-procedure-for filling-shall-be-in-accordance-with-Sections-31-through-35 and-4.1.1-of-API-Recommended-Practice-1604-incorporated-by reference-in-Section-170.410;

5) Where-a-tank-is-allowed-to-be-abandoned-in-place-due-to-loss of-support-as-specified-in-this-subsection-the-tank-shall be-removed-when-the-support-is-no-longer-needed---this-shall be-when-the-objects-needing-support-is-no-longer-in-need-of support-or-has-been-removed;

6) When-a-tank-is-abandoned-in-place-the-owner-of-the-tank shall-keep-a-permanent-record-of-the-tank-location-the-date of-abandonment-and-the-method-of-conditioning-the-tank-for abandonment-and-forward-a-copy-of-such-record-to-the-Office of-the-State-Fire-Marshall-Division-of-Petroleum-and-Chemical Safety;-and

7) Persons-seeking-a-waiver-shall-provide-all-documentation



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~~required in this subsection to the Office of the State Fire Marshal, Division of Petroleum and Chemical Safety--Only the State Fire Marshal or the Director of the Division of Petroleum and Chemical Safety shall grant such a waiver.~~

- a) When an underground storage tank has been out of operation for 12 consecutive months, the owner of the tank shall remove it within the immediate subsequent 12-month period, subject to the following exceptions:

- 1) Being placed in a "temporary out-of-service" status, pursuant to Section 170.620, upon termination of such status the tank shall be removed during the immediate subsequent 12-month period.
- 2) If there is a "change-in-service," pursuant to Section 170.630(a).
- 3) A waiver to "abandon-in-place," pursuant to this Section is issued.
- 4) USTs that have not been in operation at any time after January 1, 1974, may not be required to be removed, unless they are known or suspected of being the source of a release.
- 5) Heating oil USTs, for consumptive use on the premises where stored, do not have to be removed, unless they are known or suspected of being the source of a release.

## b) Removal:

- 1) Remove all flammable or combustible liquid and all accumulated sludges from tank and from connecting lines.
- 2) Disconnect piping at all tank openings.
- 3) Remove all sections of connecting lines which are not to be used further, and cap or plug all tank openings.
- 4) Remove tank from ground; and
- 5) Before removal and at any time thereafter as determined by the Office of the State Fire Marshal, the tank shall be gas freed (vapors from the combustible or flammable liquid from the tank are not present in a concentration sufficient to support combustion) on the premises in accordance with Section 4 of API Recommended Practice 1604, incorporated by reference in Section 170.410, or shall be transported, in compliance with Illinois Environmental Protection Agency regulations (including 35 Ill. Adm. Code 807.210 or 807.310, or 809.201 or 809.301, as applicable), to an area not accessible to the public and the gas freeing completed at that location.

- 6) In the event of a tank releasing or suspected of releasing a flammable or combustible liquid, the tank shall be gas freed (vapors from the combustible or flammable liquid from the tank are not present in a concentration sufficient to support combustion) in accordance with Section 4 of API Recommended Practice 1604, incorporated by reference in Section 170.410, prior to removal of the tank from the excavation zone.

## c) Disposal of Tanks:

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If a tank is to be disposed of as junk, it shall be retested for combustible or flammable vapors, and if necessary, rendered gas free (vapors from the combustible or flammable liquid from the tank are not present in a concentration sufficient to support combustion). After removal and before releasing to junk dealer, a sufficient number of holes or openings (at least two percent of the total surface area of the tank) shall be made in it to render it inoperative for further use as a UST. Section 4.3 and 7 of API Recommended Practice 1604, incorporated by reference in Section 170.410, provide information on safe procedures for such an operation. If the tank last contained leaded gasoline, an unknown petroleum product or a hazardous substance, it may only be scrapped as junk or re-certified.

## d) Abandonment-in-Place:

- 1) Abandoned tanks filled with sand or pea gravel prior to October 1, 1985, need not be removed; however, the owner(s) shall provide documentation of fill material and date of fill, upon request by the Office of the State Fire Marshal. The documentation shall be a receipt or a written statement from the contractor who did the fill, a statement from the inspector who inspected the tank, or a written statement from anyone designated by the State Fire Marshal or the Director of the Division of Petroleum and Chemical Safety.

## 2) Waiver of the removal requirement for a tank and piping,

allowing them to be abandoned-in-place, shall be granted where it would be infeasible to remove the UST due to loss of adjacent or subadjacent support of nearby structures, railroad tracks, streets (as defined in Section 1-201 of the Illinois Vehicle Code (625 ILCS 5/1-201)), other USTs, or in unusual situations where removal is infeasible due to other reasons, as determined by the Office of the State Fire Marshal, or is infeasible because of inaccessibility, as determined by the Office. The following criteria shall be met:

- A) A complete plan or diagram of the area shall be provided and show the location of tanks, fill pipes, vent lines, sewers, streets, product lines and buildings;
- B) A Certification of Site Condition shall be provided, which includes but is not limited to facility name and location, number and size of USTs involved, and that the subject UST site is clean or contaminated;
- C) The tank shall be filled with inert material such as sand, gravel, clay, bentonite, or inert material mixed with portland cement to increase flowability. Inert foam material may be used upon written approval by the Office of the State Fire Marshal, if a sufficient amount of other inert material is used to counteract buoyancy of the tank; calculations are necessary to insure that sufficient ballast is provided to counteract buoyant

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forces created by 100 percent submersion of the tank being filled. Filling a tank with ready mix concrete is prohibited. The procedure for filling shall be in accordance with Sections 3.1 through 3.5, and 4.1.1 of API Recommended Practice 1604, incorporated by reference in Section 170.410;

- d) When a UST is allowed to be abandoned-in-place, as specified in this subsection, the UST shall be removed when the condition for issuing the permit no longer exists; the removal procedure is exempt from this Part;
- e) When a UST is abandoned-in-place, the owner of the UST shall keep a permanent record of the UST location, the date of abandonment and the method of conditioning the UST for abandonment, and forward a copy of such record to the Office of the State Fire Marshal, Division of Petroleum and Chemical Safety; and
- f) Persons seeking a waiver shall provide all documentation required in this subsection to the Office of the State Fire Marshal, Division of Petroleum and Chemical Safety. Only the State Fire Marshal, the Director of the Division of Petroleum and Chemical Safety or any such person duly delegated such authority, shall grant such a waiver.
- g) Office of the State Fire Marshal checklists for removal and abandonment-in-place shall be adhered to.

(Source: Amended at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

### Section 170.671 Notification and Establishment of a Date Certain for Underground Storage Tank Activity

Underground storage tank activity consisting of removal, abandonment-in-place, installation, upgrade, repair or reline (but not testing).

a) Notification:

Notice of UST activity shall be given to the Office of the State Fire Marshal, Division of Petroleum and Chemical Safety, in writing (the permit application shall constitute such writing), at least 30 days prior to the UST activity, giving the location of the tank, the size of the tank and any other information that would help identify on which tank the activity is to be performed, if there is more than one tank underground at that location, unless such action is in response to a known or suspected release, assigned an incident number by Illinois Emergency Management Agency. In the event of such a known or suspected release, the Office of the State Fire Marshal shall waive the 30-day waiting period; however, a permit is still required.

- b) The contractor the permit was issued to or that contractor's

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employee (this does not include a subcontractor), shall establish a date certain to perform the UST activity by contacting the Office of the State Fire Marshal, Division of Petroleum and Chemical Safety, by telephone, between 8:30 a.m. and 12:00 p.m., at which time a mutually agreed upon date and time for the UST activity shall be scheduled.

- 2) No UST activity or portion of a UST activity is to be performed without a Storage Tank Safety Specialist (STSS) present, if the permit for that UST activity mandates that a STSS is to be present at the time that activity or portion of that activity is performed.
- c) This Section is not applicable to tank tightness testing.
- d) In the event there is a delegation of authority to the City of Chicago to enforce UST rules and regulations, pursuant to 430 ILCS 15/2, subject to the terms of such an agreement and to the extent the City is authorized to supervise the above-referenced activities, this Section is inapplicable to the performance of such UST activities within the jurisdiction of the City, in so far as the Office of the State Fire Marshal is concerned. However, the City has the authority to modify this Section, where necessary.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

### Section 170.672 Pre-'74 and Heating Oil USTs

- a) Although USTs not in operation at any time after January 1, 1974 (commonly referred to as "pre-'74 USTs") are not registrable (see Section 170.440) and are not required to be removed, unless they are the source of a known or suspected release, they remain classified as USTs; consequently, if they are removed or abandoned-in-place, permits secured in accordance with Section 170.541 are required.

- b) Heating oil USTs (for consumptive use on the premises where stored), regardless when last in operation, are not required to be removed, unless they are the source of a known or suspected release. However, they remain classified as USTs; consequently, if they are removed or abandoned-in-place, permits secured in accordance with Section 170.541 are required. Also, they are subject to the notification requirements in Section 170.440.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

### Section 170.673 Petroleum Release Classifications

If an excavation zone has been deemed minor by a Storage Tank Safety Specialist on or after September 13, 1993, within 90 days thereafter a Professional Engineer, as defined in 225 ILCS 325/4, may submit to the Office of the State Fire Marshal, Division of Petroleum and Chemical Safety, on a form provided by the Office, certifying that said excavation zone should have



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been classified as significant or should have been classified as major. The Office shall then rescind the Certificate of Removal, if issued, only to the extent issued for the applicable excavation zone only to the extent it applies to the excavation zone involved. This practice of rescission shall terminate January 1, 1995.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_.)

## SUBPART C: UNDERGROUND STORAGE TANKS--FINANCIAL RESPONSIBILITY REQUIREMENTS

Section 170.700 Incorporation by Reference Definitions

~~The Office of the State Fire Marshal adopts by incorporation by reference 40 CFR 280.783-3238: Code of Federal Regulations (CFR), available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401 (202) 783-3238: 40 CFR 280.97, 280.95, 280.96, 280.98, 280.99 and 280.107(6).~~

~~"Provider of financial assurance" means an entity that provides financial assurance to an owner or operator of an underground storage tank through one or more mechanisms listed in Section 170.730, including the fiduciary of a designated savings account.~~

~~"UST" means underground storage tank.~~

(Source: ~~Section 170.700 repealed, new Section added at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_.~~)

Section 170.705 Incorporation by Reference

~~Code of Federal Regulations (CFR), available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401 (202) 783-3238:~~

~~40 CFR 280.97, 280.95, 280.96, 280.98, 280.99 and 280.107(6).~~

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_.)

Section 170.710 Applicability

- a) This Subpart applies to all owners or operators of USTs in the ground as of the effective date of this Subpart.
- b) All owners or operators of hazardous substance USTs are excluded from regulations pursuant to this Subpart.
- c) Although the UST Fund assists certain petroleum UST owners in paying for corrective action or third-party liability (415 ILCS 5/57.9) for purposes of this Subpart, the UST Fund is not considered a mechanism for financial responsibility compliance.
- d) None of the financial responsibility mechanisms, as specified in Section 170.730, are required by the Office of the State Fire Marshal to include a standby trust.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_.)

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Section 170.720 Amount

Each owner or operator shall maintain financial responsibility in the sum of \$20,000, regardless of the number of USTs or facilities owned or operated. This \$20,000 shall be comprised as follows:

- a) \$10,000 for corrective action; and
- b) \$10,000 for third-party liability for bodily injury or property damage (for definitions of "bodily injury" or "property damage" see 415 ILCS 5/57.2).

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_.)

Section 170.730 Mechanisms of Financial Responsibility

The permissible mechanisms for proof of financial responsibility are as follows:

- a) Commercial or private insurance, including risk retention groups (40 CFR 280.97, incorporated by reference in Section 170.705);
- b) Self-Insurance (40 CFR 280.95, incorporated by reference in Section 170.705);
- c) Guarantee (40 CFR 280.96, incorporated by reference in Section 170.705);
- c) Surety bond (40 CFR 280.98, incorporated by reference in Section 170.705);
- d) Letter of credit (40 CFR 280.99 incorporated by reference in Section 170.705);
- e) Certificate of deposit;
- f) Designated savings account; or
- g) Any combination of the above mechanisms.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_.)

Section 170.740 Proof of Financial Responsibility

- a) Proof of financial responsibility for Section 170.730(a)(1)(2)(3)(4) or (5) shall be maintained on the respective forms as located in 40 CFR 280, incorporated by reference in Section 170.705. These forms shall be modified to comply with applicable State laws and regulations. It is the responsibility of tank owners or operators to print and modify the forms.
- b) Proof of financial responsibility for (a)(6) or (7) shall be documented by written proof from the appropriate financial institution.
- c) The forms referenced in subsection (a) shall be renewed annually, commencing with each calendar year.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_.)

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**Section 170.750 Substitution of Financial Responsibility Mechanisms by an Owner or Operator**

- a) An owner or operator may substitute any alternate financial responsibility mechanism as specified in Section 170.730(a), provided that at all times the owner or operator maintains an effective financial responsibility mechanism or combination of mechanisms that satisfies the requirements of this Subpart.
- b) After obtaining alternate financial responsibility as specified in Section 170.730(a), an owner or operator may cancel the replaced financial responsibility mechanism by providing notice to the provider of financial assurance.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_.)

**Section 170.760 Cancellation or Non-Renewal by a Provider of Financial Assurance**

- a) Except as otherwise provided, a provider of financial assurance may cancel or fail to renew an assurance mechanism by sending notice of termination by certified mail to the owner or operator.
- 1) Termination of a guarantee, a surety bond or a letter of credit may not occur until 120 days after the date on which the owner or operator receives the notice of termination as evidenced by the return receipt.
- 2) Termination of commercial or private insurance, or risk retention group coverage may not occur until 60 days after the date on which the owner or operator receives the notice of termination as evidenced by the return receipt.
- b) If a provider of financial assurance cancels or fails to renew an assurance mechanism, for reasons as specified in Section 170.95(c), the owner or operator must obtain alternate coverage as specified in Section 170.730, within 60 days after receipt of the notice of termination. If the owner or operator fails to obtain alternate coverage within 60 days after receipt of the notice of termination, the owner or operator shall notify the Office of the State Fire Marshal of such failure and submit the:
- 1) Name and address of the provider of financial assurance;
- 2) Effective date of termination; and
- 3) Evidence of the financial responsibility mechanism subject to the termination, maintained in accordance with 170.780(b).

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_.)

**Section 170.770 Reporting by Owner or Operator**

- a) An owner or operator shall certify compliance with the financial responsibility requirements in Section 170.730, as specified in the notification form, when notifying the Office of the State Fire

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Marshal of a new UST, in accordance with Section 170.440.

- b) An owner or operator shall notify the Office of the State Fire Marshal on an amended notification form when there is a change in status of financial responsibility, in accordance with Section 170.440(g).
- c) The Office of the State Fire Marshal may require an owner or operator to submit evidence of financial responsibility as described in 170.780(b) or other information relevant to compliance with this Subpart at any time. Such a request shall be in writing, sent by United States registered or certified mail, to the facility address on the most recent notification form submitted to the Office.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_.)

**Section 170.780 Recordkeeping**

- a) Owners or operators shall maintain evidence of all financial responsibility mechanisms used to demonstrate financial responsibility (pursuant to this Subpart), for a UST, until released from the requirements of this Subpart under 170.790. An owner or operator shall maintain such evidence at the UST site or the owner's or operator's principal place of business. Records maintained off-site shall be made available upon written request from the Office of the State Fire Marshal, sent by United States registered or certified mail, to the facility address on the most recent notification form submitted to the Office.
- b) An owner or operator shall maintain a copy of the following types of evidence of financial responsibility:
- 1) An owner or operator using a financial responsibility mechanism as specified in Section 170.730(a) shall maintain a copy of the instrument, worded as specified in Section 170.740.
- 2) An owner or operator using a financial test or guarantee shall maintain a copy of the chief financial officer's letter based on year-end financial statements for the most recent completed financial reporting year. Such evidence shall be on file no later than 120 days after the close of the financial reporting year.
- 3) An owner or operator using a commercial or private insurance policy, or risk retention group coverage shall maintain a copy of the signed insurance policy or risk retention group coverage policy, with the endorsement or certificate of insurance and any amendments of the agreement.
- 4) An owner or operator using a financial responsibility mechanism as specified in Section 170.730(a), shall maintain an updated copy of a certification of financial responsibility as worded in 40 CFR 280.107(6), incorporated by reference in Section 170.705.



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(Source: Added at Ill. Reg. \_\_\_\_, effective \_\_\_\_)

Section 170.790 Release from the Requirements

An owner or operator is no longer required to maintain financial responsibility pursuant to this Subpart for a UST after the UST has been removed or abandoned-in-place, in accordance with Section 170.670.

(Source: Added at Ill. Reg. \_\_\_\_, effective \_\_\_\_)

Section 170.795 Bankruptcy or Other Incapacity of Owner or Operator, or Provider of Financial Assurance

a) Within 10 days after commencement of a voluntary or involuntary proceeding under Titles 7 or 11 of the United States Bankruptcy Code (11 U.S.C. §§ 701, et seq. and 1101, et seq.), naming an owner or operator as debtor, the owner or operator must notify the Office of the State Fire Marshal by certified mail such commencement and submit the appropriate forms listed in Section 170.780(b), documenting current financial responsibility.

b) Within 10 days after commencement of a voluntary or involuntary proceeding under Titles 7 or 11 of the United States Bankruptcy Code (11 U.S.C. §§ 701, et seq. and 1101, et seq.), naming a guarantor providing financial assurance as debtor, such guarantor must notify the owner or operator by certified mail of such commencement as required under the terms of the guarantee specified in 40 CFR 280.96, incorporated by reference in Section 170.700.

c) An owner or operator who obtains financial assurance by a mechanism other than the financial test of self-insurance will be deemed to be without the required financial responsibility in the event of a bankruptcy or incapacity of its provider of financial assurance, or a suspension or revocation of the authority of the provider of financial assurance to issue a guarantee, commercial or private insurance policy, risk retention group coverage policy, surety bond, letter of credit, certificate of deposit or act as fiduciary of a designated savings account. The owner or operator must obtain alternate financial assurance as specified in Section 170.730(a) within 30 days after receiving notice of such an event. If the owner or operator does not obtain alternate coverage within 30 days after such notification, the owner or operator shall notify the Office of the State Fire Marshal in writing, sent by certified mail.

(Source: Added at Ill. Reg. \_\_\_\_, effective \_\_\_\_)

SUBPART D: UNDERGROUND STORAGE TANKS--ADMINISTRATIVE  
PROCEDURE RULES FOR ORDERS ISSUED BY THE DIVISION OF PETROLEUM AND  
CHEMICAL SAFETY

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Section 170.800 Definitions

"Contractor" means installer, repairer, remover, replacer, or tester of underground storage tanks; "repairer" includes "upgrader".

"Denial of the registration of an underground storage tank (UST)" means refusal to classify a UST as registered, when a registration form, as prescribed by OSFM, was submitted to register the UST.

"Hearing Officer" means the presiding official designated by the State Fire Marshal to conduct a hearing and preside over pre-hearing and post-hearing matters in a contested case.

"In-use" means, when referring to an underground storage tank (UST), that the UST must have had input or output of product during the normal course of operation; it does not include the following:

compliance with leak detection requirements as specified in Subpart B;

the mere containment or storage of product in excess of one year;

adding product to a UST, once the UST is to be removed pursuant to Subpart B; or

withdrawing product from a UST, once the UST is to be removed pursuant to Subpart B.

"OSFM" means "Office of the State Fire Marshal".

"Owner of a UST system" means a person who has legal or equitable title to a UST system which has or had a regulated substance(s) contained in it; Section 4(e)(3) of the Gasoline Storage Act (Ill. Rev. Stat., 1989 and 1990 Supp., Ch. 127-1/2, par. 156-6)(3)).

"Party" or "parties" means an individual(s), trust(s), firm(s), partnership(s), joint venture(s), company(s), corporation(s), consortium(s), joint entity(s), commercial entity(s), federal government, State government, municipality(s), commission(s), unit(s) of local government or political subdivision(s) of the State or any interstate body(s).

"Revocation of the registration of a contractor" means termination of a contractor's registration to perform the activity(s) of the contractor was registered to perform. Upon conclusion of the revocation period, a contractor whose registration was revoked may perform the activity(s) of the contractor was registered to perform only by re-registering (assuming the applicant is not otherwise prohibited from re-registering).

"Revocation of the registration of an underground storage tank (UST)" means termination of a UST being classified as registered.

"Suspension of the registration of a contractor" means the prohibition of a contractor's performance of the activity(s) of the contractor was registered to perform for a period of time not to exceed one year; if the period of suspension ends prior to the termination of the registration period, the suspended contractor

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may resume performing the activity(s) the contractor was registered to perform for the remainder of the registration period. If the period of suspension ends subsequent to the termination of the registration period, the suspended contractor may not perform the activity(s) the contractor was registered to perform until the suspension period has ended and the contractor has been re-registered (assuming the applicant is not otherwise prohibited from re-registering).

"Contractor" means installer, repairer, reliner, remover, replacer or tester of underground storage tanks; "repairer" includes "upgrader" and "remover" includes "contractor."

"Denial of the registration of an underground storage tank (UST)" means refusal to classify a UST as registered, when a registration form, as prescribed by OSFM, was submitted to register the UST.

"Hearing Officer" means the presiding official designated by the State Fire Marshal to conduct a hearing and preside over pre-hearing and post-hearing matters in a contested case.

"OSFM" means "Office of the State Fire Marshal."

"Operation" or "use" in reference to underground storage tank has the meaning of "operation" as defined in 430 ILCS 15/4.

"Owner" means:

In the case of a UST system in use on November 8, 1984, or brought into use after that date, any person who owns a UST system used for storage, use or dispensing of regulated substances; and

In the case of any UST system in use before November 8, 1984, but no longer in use on that date, any person who owned such UST immediately before the discontinuation of its use.

"Party" or "parties" means an individual(s), trust(s), firm(s), partnership(s), joint stock company(s), corporation(s), consortium(s), joint venture(s), commercial entity(s), Federal government, State government, municipality(s), commission(s), unit(s) of local government or political subdivision(s) of the State, or any interstate body(s).

"Provider of financial assurance" means an entity that provides financial assurance to an owner or operator of an underground storage tank through one or more mechanisms listed in Section 170.730, including the fiduciary of a designated savings account.

"Revocation of the license of a contractor" means termination of a contractor's license to perform the activity(s) the contractor was licensed to perform. Upon conclusion of the revocation period, a contractor whose license was revoked may perform the activity(s) the contractor was licensed to perform only by re-licensing (assuming the applicant is not otherwise prohibited from re-licensing).

"Revocation of the registration of an underground storage tank (UST)" means termination of a UST being classified as registered.

"Suspension of the license of a contractor" means the prohibition of a contractor's performance of the activity(s) the contractor

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was licensed to perform, for a period of time not to exceed one year. If the period of suspension ends prior to the termination of the license period, the suspended contractor may resume performing the activity(s) the contractor was licensed to perform for the remainder of the license period. If the period of suspension ends subsequent to the termination of the license period, the suspended contractor may not perform the activity(s) the contractor was licensed to perform until the suspension period has ended and the contractor has been re-licensed (assuming the applicant is not otherwise prohibited from re-licensing).

"UST" means underground storage tank.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

## Section 170.810 Grounds for Appeal

An Administrative Order issued pursuant to the following statutory provisions may be appealed in accordance with this Subpart:

- a) UST registration denial or revocation. Section 2(3)(e) of the Gasoline Storage Act (111 Rev. Stat., 1989 and 1990 Supp., ch. 127 1/2, par. 154(3)(e) 430 ILCS 15/2(3)(e)).
- b) Contractor registration license suspension or revocation. Sections 2(3)(a) and (e) of the Gasoline Storage Act (430 ILCS 15/2(3)(a) and (e)).
- c) Emergency action. Section 6(c) of the Gasoline Storage Act (430 ILCS 15/6(c)).
- d) Violation of any and all regulations affecting USTs. Section 2(3)(e) of the Gasoline Storage Act (430 ILCS 15/2(e)).
- e) Violation of any and all regulations affecting aboveground storage tanks. (See 41 Ill. Adm. Code 160 and 180 for Administrative Orders issued by the Division of Petroleum and Chemical Safety, Section 2(4)(b) of the Gasoline Storage Act.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

## Section 170.820 Notice of Hearing

Notice of the time and place for any hearing shall be given to the party or parties concerned if any such party is known, through written communication to OSFM, to be represented by an identifiable attorney in the subject matter of the hearing. Then the notice is to be given to that attorney. Notice sent by United States registered or certified mail, addressed to the party concerned at the last known address of that party, is sufficient.

- a) Notice of the time and place for any hearing shall be given to any party concerned. If an attorney, through written communication, is known to represent any party to a hearing, then notice is to be given to that attorney. Notice sent to the last known address by United States registered or certified mail, addressed to all parties concerned or their attorneys, when applicable, is



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sufficient.  
b) Prior to the commencement of a hearing, a party to that hearing may be granted one continuance, for any reason, via written communication, no later than 10 working days prior thereto. No other continuance prior to a hearing will be granted for other than illness or comparable emergency.

c) Scheduling conflicts of an attorney constitute grounds for a continuance only when the conflict is with another judicial body.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 170.830 Appearances

a) At hearings before OSFM, a party to the proceeding may represent that party or that party may be represented at the hearing by any person who is admitted to practice as an attorney by the Supreme Court of Illinois or who is authorized to practice law in this State by rules of court.

b) Others not qualified to practice law in this State may not appear at hearings before OSFM in a representative capacity, but such persons may testify at such hearings and may assist attorneys in preparation of cases for presentation by such attorneys at hearings.

At hearings before OSFM parties to a proceeding may represent themselves or may be represented by designated individuals. The failure of a party to be represented by an attorney does not constitute grounds for a rehearing; likewise, the choice by parties to be represented by themselves or designated individuals do not constitute such grounds.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 170.850 Authority of Hearing Officer

The Hearing Officer shall:

a) Administer oaths and affirmations;  
b) Preside over the hearings; regulate the course of hearings; set the time and place for continued hearings; set the time for filing documents; and provide for the taking of testimony by deposition, if when necessary;

c) Set the time and place for the continuance of a hearing once the hearing has commenced; Section 170.820 governs the continuance of a hearing prior to its commencement;

d) Examine witnesses and direct witnesses to testify; limit the number of times any witness may testify; limit repetitious or cumulative testimony; and set reasonable limits on the amount of time each witness may testify;

e) Receive evidence (see Section 170.850 for evidentiary rules regarding denial or revocation of UST registration); rule upon objections to admissibility of evidence; and rule upon offers of

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proof;  
ef) Sign and issue subpoenas that require attendance, testimony, or the production of papers, books, documentary evidence or other tangible things;

fg) Dispose of procedural requests or similar matters;

gh) Render findings of fact, conclusions of law, opinions and recommendations for an Order of the State Fire Marshal;

hi) Enter any Order that expedites the purpose of this rule; and

ij) Generally conduct the hearing and all pre-hearing and post-hearing matters according to this Subpart.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

### Section 170.860 Evidence to be Presented by the Owner to Object to the Denial or Revocation of the Registration of an Underground Storage Tank (UST) (Repealed)

a) The owner must be the owner of the UST system.

b) The UST must have been in use at some time since January 1, 1974.

c) The UST (excluding heating oil USTs) must have been in the ground as of September 24, 1987.

d) Heating Oil USTs:

1) greater than 110 gallons must have been in the ground as of July 1, 1990;

2) 110 gallons to 110 gallons must have been in the ground as of September 6, 1991.

e) Whatever other evidence the Hearing Officer deems appropriate pursuant to Section 170.850(d).

(Source: Repealed at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 170.890 Order of the State Fire Marshal

a) The Hearing Officer shall submit the findings, conclusions, opinions (see Section 170.910(d)) and recommendations to the Fire Marshal. The Hearing Officer's recommendations regarding duration of suspension or revocation of a registration the license of a contractor, or assessment of fines against a contractor or employee of a contractor will be included in the submissions to the Fire Marshal (see Section 170.910(a) and (b) and (c)).

b) The Fire Marshal shall review the submissions and issue an Order within a reasonable time to sustain, modify or revoke the Administrative Order; any suspension, denial or revocation or assessment of fines shall be included.

c) The execution of a written Order will become effective immediately and will constitute a final administrative decision.

d) The parties and their attorneys shall be notified as soon as reasonably possible by sending them a copy of the Order by United States registered or certified mail addressed to the party all

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parties concerned and their attorneys (if applicable) at the their last known address of that party.

(Source: Amended at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 170.900 Authority to Suspend--Deny--or--Revoke--Registration Enforce Administrative Orders and Assess Fines

- a) Authority for the suspension or revocation of the registration license of a contractor or the revocation of the registration of a contractor is located in Section 7(b) of the Gasoline Storage Act (111 Rev. Stat. 1989 and 1990 Supp., ch. 127-1/2, par. 1594b) 430 ILCS 15/7(b)).
- b) Authority for the denial or revocation of the registration of an underground storage tank or the revocation of the registration of an underground storage tank UST is located in Section 2(3)(e) of the Gasoline Storage Act (430 ILCS 15/2(3)(e)).
- c) Authority to suspend, deny or revoke the license of a contractor requires the issuance of an Administrative Order to the contractor or owner of the underground storage tank, whichever the case may be, and compliance with The Illinois Administrative Procedure Act (111 Rev. Stat. 1989, ch. 127, par. 1001 et seq. 5 ILCS 100/1-1, et seq.) as located in Section 2(3)(e) of the Gasoline Storage Act (430 ILCS 15/2(3)(e)).
- d) Authority to deny or revoke the registration of a UST requires the issuance of an Administrative Order to the owner and compliance with The Illinois Administrative Procedure Act (5 ILCS 100/1-1, et seq.) located in Section 2(3)(e) of the Gasoline Storage Act (430 ILCS 15/2(3)(e)).
- de) Authority for emergency action requiring requires the issuance of an Administrative Order to the owner or operator or both to perform the emergency action is located in Section 6(e) of the Gasoline Storage Act and compliance with The Illinois Administrative Procedure Act (5 ILCS 100/1-1, et seq.) located in Section 2(3)(e) of the Gasoline Storage Act (430 ILCS 15/2(3)(e)).
- f) Authority to issue Administrative Orders to owners or operators, employees of contractors or providers of financial assurance requires the issuance of an Administrative Order and compliance with The Illinois Administrative Procedure Act (5 ILCS 100/1-1, et seq.) located in Section 2(3)(e) of the Gasoline Storage Act (430 ILCS 15/2(3)(e)).
- g) Authority to assess fines against contractors or employees of contractors, owners or operators, or providers of financial assurance is located in Section 7(a) of the Gasoline Storage Act (430 ILCS 15/7)(a).
- h) For purposes of this Section, "license" is synonymous "registration."

(Source: Amended at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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### Section 170.910 Suspension or Revocation of the Registration License of a Contractor and Assessment of Fines Against a Contractor or Employee of a Contractor for Violations of Subparts B or E

- a) The violation(s) of a provision(s) of 41 Ill. Adm. Code, Subpart B, including adopted standards, by a contractor, may result in a suspension or revocation of that contractor's registration license for the following durations:
  - 1) For the first violation committed at any facility, the registration license of any contractor may be suspended or revoked up to one year.
  - 2) For the second violation committed at any facility, the registration license of any contractor may be suspended for any period of time up to one year or may be revoked up to two years.
  - 3) For the third violation, and any violation(s) thereafter, committed at any facility, the registration license of any contractor may be suspended up to one year or revoked for any period of time.
- b) The violation(s) of a provision(s) of 41 Ill. Adm. Code, Subpart AE, including adopted standards, by a contractor, may result in a suspension or revocation of that contractor's registration license for the following durations:
  - 1) For the first violation, the registration license of any contractor may be suspended up to six months.
  - 2) For the second violation, the registration license of any contractor may be suspended or revoked up to one year.
  - 3) For the third violation, the registration license of any contractor may be suspended up to one year or revoked up to two years.
  - 4) For the fourth violation, any any violation thereafter, registration license of any contractor may be revoked up to five years.
- e) Hearing Officer Guidelines for Suspension or Revocation:
  - 1) In determining if the registration of a contractor shall be suspended or revoked, and, if so, for how long, the Hearing Officer shall consider, in addition to subsections (a) or (b), the following factors, giving equal weight to each of the factors:
    - A) threat to public health, safety or property, considering the nature, extent and gravity of violation;
    - B) harm to public health, safety or property, considering the nature, extent and gravity of violation;
    - C) time between the instant violation and any previous violation that resulted in suspension or revocation (the lesser the period of time between violations, the more serious the penalty);
    - D) culpability of the violator;
    - E) recalcitrance toward the regulation violated; and



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2) ~~Number of previous violations. The time period for any suspension or revocation may be imposed consecutively or concurrently with the time period for any other suspension or revocation.~~

## dc) Effects of Suspension or Revocation:

1) A contractor whose ~~registration~~ license was suspended or revoked as a result of a violation(s) involving one or more registered licensed activities, is also prohibited, in a like manner, for a like duration, from performing any other activity the contractor was ~~registered~~ licensed to perform.

2) During the period of a suspension or revocation, the contractor whose ~~registration~~ license was suspended or revoked may not ~~register~~ be licensed to perform any other activity.

3) A contractor whose ~~registration~~ license was suspended or revoked may not perform any activity requiring ~~registration~~ a license pursuant to a permit issued prior to the suspension or revocation; in such a case, the contractor is not entitled to a refund of the permit fee and is not entitled to amend the permit or permit application to list another contractor.

4) A contractor whose ~~registration~~ license has been suspended or revoked may not ~~register~~ be licensed under the name of a different contractor during such period of suspension or revocation.

5) A contractor whose ~~registration~~ license has been suspended or revoked may not be employed as an agent or subcontractor of a ~~registered~~ licensed contractor to perform any activity the contractor was ~~registered~~ licensed to perform.

6) For purposes of this subsection, any officer of a corporation, or any owner or co-owner of any other business entity that is a contractor, is also identified as a contractor that is one and the same as the business entity at the time of the suspension or revocation.

d) The violation(s) of a provision(s) of 41 Ill. Adm. Code, Subpart E, including adopted standards, by a contractor or an employee of a contractor, may result in the assessment of fines against that contractor or employee.

(Source: Amended at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

### Section 170.920 Assessment of Fines Against Non-Contractors for Violations of Subpart B

The violation(s) of a provision(s) of 41 Ill. Adm. Code, Subpart B, by other than a contractor or employee of a contractor, may also result in the assessment of fines against that party.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

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### Section 170.930 Assessment of Fines Against an Owner, Operator or Provider for Violations of Subpart C

The violation(s) of a provision(s) of 41 Ill. Adm. Code, Subpart C, by an owner or operator, may result in the assessment of fines against that party.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

### Section 170.940 Hearing Officer Guidelines for Suspension, Revocation of Assessment of Fines

In determining if the license of a contractor shall be suspended or revoked, or fines assessed against a contractor or the employee of a contractor, the Hearing Officer shall consider, in addition to subsections (a) (b) or (c), the following factors, giving equal weight to each of the factors:

a) Threat to public health, safety or property, considering the nature, extent and gravity of violation;

b) Harm to public health, safety or property, considering the nature, extent and gravity of violation;

c) Time between the instant violation and any previous violation that resulted in suspension or revocation (the lesser the period of time between violations, the more serious the penalty);

d) Culpability of the violator;

e) Recalcitrance toward the regulation violated;

f) Number of previous UST violations;

g) Fraud or deceit in obtaining a license;

h) Knowing, aiding or abetting the unauthorized installation, removal, abandonment-in-place, upgrade, repair, testing or relining of a UST system without certified supervisory personnel;

i) Any negligence, incompetence or misconduct in the discharge of the duties required by Subparts B or E;

j) Conviction of a felony or misdemeanor related to the circumstances of a UST system installation, removal, abandonment-in-place, upgrade, repair, testing or relining; and

k) Adjudication of mental incompetence by the courts.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

### SUBPART E: LICENSING, CERTIFICATION AND IDENTIFICATION CARDS

### Section 170.1000 Definitions

"Certification" is the passage by an individual of the IFCI Certification Examination.

"Contractor" is a person, excluding employees, who performs any

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UST activity requiring a permit.  
 "IFCI" means International Fire Code Institute.  
 "Person" means an individual, trust, firm, partnership, joint stock company, corporation, federal agency, state, municipality, commission, unit of local government or political subdivision of the State or any interstate body. "Person" also includes a consortium, a joint venture, a commercial entity or the United States Government.  
 "UST" means underground storage tank.  
 "UST activity" means a UST:  
 Installation (including retrofitting and cathodic protection);  
 Repair (including upgrade, which includes retrofitting and cathodic protection);  
 Removal (decommissioning, which includes abandonment-in-place);  
 Reline; or  
 Tank tightness testing.

(Source: Added at Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

## Section 170.1100 Contractor Licensing

In order for a contractor to be considered licensed with the Office of the State Fire Marshal, it is necessary for the contractor to submit to the Office a current contractor license application form, as provided by the office, and comply with the following:

- a) Pay an annual certification fee of \$100 per type of UST activity to the Office of the State Fire Marshal on or before 30 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal."
- b) Each contractor shall provide a list of its certified individual contractors or certified employees to the Office of the State Fire Marshal, stating the UST activity(s) in which the individual contractor or employee is certified, and sign an affidavit that 41 Ill. Adm. Code has been distributed to all certified individual contractors and certified employees of the contractor, as a prerequisite to becoming licensed. This information shall be submitted on forms as prescribed by the Office of the State Fire Marshal.
- c) Each person who is a contractor shall notify the Office of the State Fire Marshal on a form prescribed by the Office, within 10 days after the termination of employment of a certified individual contractor or certified employee, of such termination; after the re-certification to perform a UST activity by a individual contractor or employee; or upon certification to perform an additional UST activity by an individual contractor or employee.
- d) Each contractor shall maintain a general liability insurance policy of \$1,000,000 net, issued to the contractor, proof of which

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is to be submitted annually to the Office of the State Fire Marshal on a certificate of insurance issued by the insurer. This submission is required for a contractor to be licensed.  
 Any registration prior to the adoption of this Section will expire on its anniversary date or June 1, 1995, whichever date is later, and will be considered the equivalent of a license. All license applicants on or after June 1, 1995, shall comply with the requirements of this Section in order to be considered licensed.  
 No contractor shall apply for a license who is otherwise barred pursuant to Subpart D.  
 Any person convicted of a felony within the last five years shall be ineligible for a license.

(Source: Added at Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

## Section 170.1200 Contractor and Employee Certification

a) In order to be certified to perform a UST activity, the individual must receive a passing score on the IFCI Certification Examination for that UST activity. The address and telephone number for IFCI are 9300 Jollyville Road, Suite 105, Austin, TX 78759-7455 (512)345-2633.

1) Certification for relining is regulated by Section 170.480.  
 2) Certification for tank tightness testing is regulated by Section 170.543.

b) A contractor is considered certified in any UST activity in which an employee of that contractor is certified, except that an individual contractor in order to be considered certified shall meet the requirements of subsection (a).

c) A contractor shall have at least one employee certified for the UST activity permitted, except, an individual contractor who is so certified does not require such an employee; subcontractors are not employees.

d) A contractor shall have at least one employee certified in the UST activity for which the permit was issued, actively supervising the UST activity being performed on the job site, except, an individual contractor who is so certified does not require such an employee but shall so supervise. At all times during UST operations, there shall be such a certified employee on the job site.

e) Certified individual contractors and certified employees shall possess IFCI and OSHA Identification Cards (as described in Section 170.1300) on UST job sites at all times, and such cards shall be available upon request by any Office of the State Fire Marshal representative.

f) UST activities may be shut down by any Office of the State Fire Marshal representative if individual contractors or their employees are not in compliance with subsections (d) or (e). Such work shall not resume until approval is granted by the Office.



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- g2) Individuals certified by IFCI for UST activity, who passed the Certification Examination in another state, are considered certified in this State; however, any such individual shall comply with State licensing requirements in Section 170.1100 and this Section in order to perform any UST activity for which they are certified.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_ effective \_\_\_\_)

**Section 170.1300 Possession of OSHA Identification Cards by Certified Individual Contractors and Certified Employees of Contractors**

- a2) Individual contractors and employees of contractors shall possess 40 General Site Worker Program Identification Cards and any valid Refresher Cards, which comply with Occupational Safety and Health Administration (OSHA) standards, on UST job sites at all times, and such cards shall be produced upon request by any Office of the State Fire Marshal representative. This is applicable only to UST removals, relinings, abandonments-in-place and interior inspections. These OSHA standards are located in the document titled: "Occupational Safety and Health Standards and Interpretations," OSHA Standard 1910.120, "Hazardous Waste Operations and Emergency Response," 55 F.R. 14074, April 13, 1990 and 56 F.R., 15833, April 18, 1991, available from United States Department of Labor, Occupational Safety and Health Administration (OSHA), 230 South Dearborn Street, Room 3244, Chicago, IL 60604, (312) 353-2220.

- b2) UST activities may be shut down by any Office of the State Fire Marshal representative if individual contractors or their employees are not in compliance with this Section. Such work shall not resume until approval is granted by the Office.

(Source: Added at \_\_\_\_ Ill. Reg. \_\_\_\_ effective \_\_\_\_)

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**Section 170. TABLE A Schedule for Phase-In of Release Detection**

Year system was installed	1989	1990	1991	1992	1993
Before 1965 or date unknown.	RD*	P			
1965-69.....		P/RD			
1970-74.....		P	RD		
1975-79.....		P		RD	
1980-88.....		P			RD

New tanks (on or after April 21, 1989) immediately upon installation.  
~~\*Except for heating oil tanks and emergency power generator tanks, the first year when release detection is required is 1990.~~

\*The first year when release detection is required for emergency power generator tanks is 1990. The first year when release detection is required for heating oil tanks for consumptive use on the premises where stored is 1998.

P=Must Shall begin release detection for all pressurized piping in accordance with Sections 170.510(b)(1) and 170.520(b)(4).

RD=Must Shall begin release detection for tanks and suction piping in accordance with Sections 170.510(a) and (b)(2) and 170.520.

(Source: Amended at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

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- 1) Heading of the Part: Definitions and General Provisions
- 2) Code Citation: 35 Ill. Adm. Code 211

3) Section Numbers: Proposed Action:

211.3480	New
211.3650	Amend
211.3660	New
211.6970	Amend
211.6990	Amend

4) Statutory Authority:

415 ILCS 5/27 and 28.5

5) A Complete Description of the Subjects and Issues Involved:

The proposed rule addresses marine vessel loading. This control measure is Phase II of the Agency's required submittal for its 15% reduction of volatile organic material plan which the Agency submitted to USEPA in November of 1993. Illinois is required to adopt these measures or face possible sanctions from USEPA. Specifically these amendments add definitions for "loading event" and "marine vessel" as well as adding "marine vessel" to the definitions of "vapor collection system" and "vapor control system".

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes ☐ No ☒

- 7) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒

If "yes," please specify date: \_\_\_\_\_

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation

211.102	Amend	18 Ill. Reg. 8331
211.1920	New Section	18 Ill. Reg. 8331
211.3500	New Section	18 Ill. Reg. 8331

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211.3620	New Section	18 Ill. Reg. 8331
211.4260	New Section	18 Ill. Reg. 8331
211.5060	New Section	18 Ill. Reg. 7589
211.5340	New Section	18 Ill. Reg. 8331
211.6355	New Section	18 Ill. Reg. 8331
211.6360	New Section	18 Ill. Reg. 8331

10) Statement of Policy Objectives:

These proposed rules and amendments do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandate Act (30 ILCS 805/3(b)).

- 11) Time, Place, and Manner in which interested person may comment on this proposed rulemaking:

Send written comments concerning R94-15 within 45 days of publication in the Illinois Register to:

Dorothy Gunn  
Clerk of the Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

and

Rachel Doctors  
Assistant Counsel  
Illinois Environmental Protection Agency  
Bureau of Air  
P.O. Box 19276  
Springfield, IL 62794-9276

Questions regarding these proposed amendments should be addressed to: Marie E. Tipsord, Attorney Assistant, Illinois Pollution Control Board, at (312) 814-4925

- 12) Initial Regulatory Flexibility Analysis: These proposed amendments are necessary to provide consistency with the CAAPP legislation enacted pursuant to the CAA. Therefore, no small businesses will be affected to a greater degree than allowed by federal law.

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 2, 1994



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- B) Types of small businesses affected:
- C) Reporting, bookkeeping or other procedures required for compliance:
- D) Types of professional skills necessary for compliance:

The full text of the Proposed Rule(s) begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE B: AIR POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER C: EMISSION STANDARDS AND LIMITATIONS  
FOR STATIONARY SOURCES

PART 211  
DEFINITIONS AND GENERAL PROVISIONS

SUBPART A: GENERAL PROVISIONS

Section	Incorporations by Reference
211.101	Abbreviations and Units
211.102	

SUBPART B: DEFINITIONS

Section	Other Definitions
211.121	Definitions (Repealed)
211.122	Accelacota
211.130	Accumulator
211.150	Acid Gases
211.170	Actual Heat Input
211.210	Adhesive
211.230	Aeration
211.250	Aerosol Can Filling Line
211.270	Afterburner
211.290	Air Contaminant
211.310	Air Dried Coatings
211.330	Air Oxidation Process
211.350	Air Pollutant
211.370	Air Pollution
211.390	Air Pollution Control Equipment
211.410	Air Suspension Coater/Dryer
211.430	Airless Spray
211.450	Air Assisted Airless Spray
211.470	Annual Grain Through-Put
211.490	Application Area
211.510	Architectural Coating
211.530	As Applied
211.550	Asphalt
211.570	Asphalt Prime Coat
211.590	Automobile
211.610	Automobile or Light-Duty Truck Assembly Source or
211.630	Automobile or Light-Duty Truck Manufacturing Plant
211.650	Automobile or Light-Duty Truck Refinishing

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211.670	Baked Coatings
211.690	Batch Loading
211.710	Bead-Dipping
211.730	Binders
211.750	British Thermal Unit
211.770	Brush or Wipe Coating
211.790	Bulk Gasoline Plant
211.810	Bulk Gasoline Terminal
211.830	Can
211.850	Can Coating
211.870	Can Coating Line
211.890	Capture
211.910	Capture Device
211.930	Capture Efficiency
211.950	Capture System
211.970	Certified Investigation
211.990	Choke Loading
211.1010	Clean Air Act
211.1050	Cleaning and Separating Operation
211.1070	Cleaning Materials
211.1090	Clear Coating
211.1110	Clear Topcoat
211.1130	Closed Purge System
211.1150	Closed Vent System
211.1170	Coal Refuse
211.1190	Coating
211.1210	Coating Applicator
211.1230	Coating Line
211.1250	Coating Plant
211.1270	Coil Coating
211.1290	Coil Coating Line
211.1310	Cold Cleaning
211.1330	Complete Combustion
211.1350	Component
211.1370	Concrete Curing Compounds
211.1390	Concentrated Nitric Acid Manufacturing Process
211.1410	Condensate
211.1430	Condensible PM-10
211.1470	Continuous Process
211.1490	Control Device
211.1510	Control Device Efficiency
211.1530	Conventional Soybean Crushing Source
211.1550	Conveyorized Degreasing
211.1570	Crude Oil
211.1590	Crude Oil Gathering
211.1610	Crushing
211.1630	Custody Transfer

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211.1650	Cutback Asphalt
211.1670	Daily-Weighted Average VOM Content
211.1690	Day
211.1710	Degreaser
211.1730	Delivery Vessel
211.1750	Dip Coating
211.1770	Distillate Fuel Oil
211.1790	Drum
211.1810	Dry Cleaning Operation or Dry Cleaning Facility
211.1830	Dump-pit Area
211.1850	Effective Grate Area
211.1870	Effluent Water Separator
211.1890	Electrostatic Bell or Disc Spray
211.1910	Electrostatic Spray
211.1930	Emission Rate
211.1950	Emission Unit
211.1970	Enamel
211.1990	Enclose
211.2010	End Sealing Compound Coat
211.2030	Enhanced Under-the-Cup Fill
211.2050	Ethanol Blend Gasoline
211.2070	Excess Air
211.2090	Excessive Release
211.2110	Existing Grain-Drying Operation
211.2130	Existing Grain-Handling Operation
211.2150	Exterior Base Coat
211.2170	Exterior End Coat
211.2190	External Floating Roof
211.2210	Extreme Performance Coating
211.2230	Fabric Coating
211.2250	Fabric Coating Line
211.2270	Federally Enforceable Limitations and Conditions
211.2310	Final Repair Coat
211.2330	Firebox
211.2350	Fixed-Roof Tank
211.2370	Flexographic Printing
211.2390	Flexographic Printing Line
211.2410	Floating Roof
211.2430	Fountain Solution
211.2450	Freeboard Height
211.2470	Fuel Combustion Emission Unit or Fuel Combustion Emission Source
211.2490	Fugitive Particulate Matter
211.2510	Full Operating Flowrate
211.2530	Gas Service
211.2550	Gas/Gas Method
211.2570	Gasoline



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

211.2590	Gasoline Dispensing Operation or Gasoline Dispensing Facility
211.2610	Gel Coat
211.2650	Grain
211.2670	Grain-Drying Operation
211.2690	Grain-Handling and Conditioning Operation
211.2710	Grain-Handling Operation
211.2730	Green-Tire Spraying
211.2750	Green Tires
211.2770	Gross Heating Value
211.2790	Gross Vehicle Weight Rating
211.2810	Heated Airless Spray
211.2830	Heatset
211.2850	Heatset-Web-Offset Lithographic Printing Line
211.2870	Heavy Liquid
211.2890	Heavy Metals
211.2910	Heavy Off-Highway Vehicle Products
211.2930	Heavy Off-Highway Vehicle Products Coating
211.2950	Heavy Off-Highway Vehicle Products Coating Line
211.2970	High Temperature Aluminum Coating
211.2990	High Volume Low Pressure (HVLP) Spray
211.3010	Hood
211.3030	Hot Well
211.3050	Housekeeping Practices
211.3070	Incinerator
211.3090	Indirect Heat Transfer
211.3110	Ink
211.3130	In-Process Tank
211.3150	In-Situ Sampling Systems
211.3170	Interior Body Spray Coat
211.3190	Internal-Floating Roof
211.3210	Internal Transferring Area
211.3230	Lacquers
211.3250	Large Appliance
211.3270	Large Appliance Coating
211.3290	Large Appliance Coating Line
211.3310	Light Liquid
211.3330	Light-Duty Truck
211.3350	Light Oil
211.3370	Liquid/Gas Method
211.3390	Liquid-Mounted Seal
211.3410	Liquid Service
211.3430	Liquids Dripping
211.3450	Lithographic Printing Line
211.3470	Load-Out Area
211.3480	Loading Event
211.3490	Low Solvent Coating

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

211.3510	Magnet Wire
211.3530	Magnet Wire Coating
211.3550	Magnet Wire Coating Line
211.3570	Major Dump Pit
211.3590	Major Metropolitan Area (MMA)
211.3610	Major Population Area (MPA)
211.3630	Manufacturing Process
211.3650	Marine Terminal
211.3660	Marine Vessel
211.3670	Material Recovery Section
211.3690	Maximum Theoretical Emissions
211.3710	Metal Furniture
211.3730	Metal Furniture Coating
211.3750	Metal Furniture Coating Line
211.3770	Metallic Shoe-Type Seal
211.3790	Miscellaneous Fabricated Product Manufacturing Process
211.3810	Miscellaneous Formulation Manufacturing Process
211.3830	Miscellaneous Metal Parts and Products
211.3850	Miscellaneous Metal Parts and Products Coating
211.3870	Miscellaneous Metal Parts or Products Coating Line
211.3890	Miscellaneous Organic Chemical Manufacturing Process
211.3910	Mixing Operation
211.3930	Monitor
211.3950	Monomer
211.3970	Multiple Package Coating
211.3990	New Grain-Drying Operation
211.4010	New Grain-Handling Operation
211.4030	No Detectable Volatile Organic Material Emissions
211.4050	Non-contact Process Water Cooling Tower
211.4070	Offset
211.4090	One Hundred Percent Acid
211.4110	One-Turn Storage Space
211.4130	Opacity
211.4150	Opaque Stains
211.4170	Open Top Vapor Degreasing
211.4190	Open-Ended Valve
211.4210	Operator of a Gasoline Dispensing Operation or Operator of a Gasoline Dispensing Facility
211.4230	Organic Compound
211.4250	Organic Material and Organic Materials
211.4270	Organic Vapor
211.4290	Oven
211.4310	Overall Control
211.4330	Overvarnish
211.4350	Owner of a Gasoline Dispensing Operation or Owner of a Gasoline Dispensing Facility
211.4370	Owner or Operator

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## NOTICE OF PROPOSED AMENDMENTS

211.4390	Packaging Rotogravure Printing
211.4410	Packaging Rotogravure Printing Line
211.4430	Pail
211.4450	Paint Manufacturing Source or Paint Manufacturing Plant
211.4470	Paper Coating
211.4490	Paper Coating Line
211.4510	Particulate Matter
211.4530	Parts Per Million (Volume) or PPM (Vol)
211.4550	Person
211.4590	Petroleum
211.4610	Petroleum Liquid
211.4630	Petroleum Refinery
211.4650	Pharmaceutical
211.4670	Pharmaceutical Coating Operation
211.4690	Photochemically Reactive Material
211.4710	Pigmented Coatings
211.4730	Plant
211.4750	Plasticizers
211.4770	PM-10
211.4790	Pneumatic Rubber Tire Manufacture
211.4810	Polybasic Organic Acid Partial Oxidation Manufacturing Process
211.4830	Polyester Resin Material(s)
211.4850	Polyester Resin Products Manufacturing Process
211.4870	Polystyrene Plant
211.4890	Polystyrene Resin
211.4910	Portable Grain-Handling Equipment
211.4930	Portland Cement Manufacturing Process Emission Source
211.4950	Portland Cement Process or Portland Cement Manufacturing Plant
211.4970	Potential to Emit
211.4990	Power Driven Fastener Coating
211.5030	Pressure Release
211.5050	Pressure Tank
211.5070	Prime Coat
211.5090	Primer Surfacer Coat
211.5110	Primer Surfacer Operation
211.5130	Primers
211.5150	Printing
211.5170	Printing Line
211.5185	Process Emission Source
211.5190	Process Emission Unit
211.5210	Process Unit
211.5230	Process Unit Shutdown
211.5250	Process Weight Rate
211.5270	Production Equipment Exhaust System
211.5310	Publication Rotogravure Printing Line

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## NOTICE OF PROPOSED AMENDMENTS

211.5330	Purged Process Fluid
211.5350	Reactor
211.5370	Reasonably Available Control Technology (RACT)
211.5390	Reclamation System
211.5410	Refiner
211.5430	Refinery Fuel Gas
211.5450	Refinery Fuel Gas System
211.5470	Refinery Unit or Refinery Process Unit
211.5490	Refrigerated Condenser
211.5500	Regulated Air Pollutant
211.5510	Reid Vapor Pressure
211.5530	Repair
211.5550	Repair Coat
211.5570	Repaired
211.5590	Residual Fuel Oil
211.5610	Restricted Area
211.5630	Retail Outlet
211.5650	Ringelmann Chart
211.5670	Roadway
211.5690	Roll Coater
211.5710	Roll Coating
211.5730	Roll Printer
211.5750	Roll Printing
211.5770	Rotogravure Printing
211.5790	Rotogravure Printing Line
211.5810	Safety Relief Valve
211.5830	Sandblasting
211.5850	Sanding Sealers
211.5870	Screening
211.5890	Sealer
211.5910	Semi-Transparent Stains
211.5930	Sensor
211.5950	Set of Safety Relief Valves
211.5970	Sheet Basecoat
211.5990	Shotblasting
211.6010	Side-Seam Spray Coat
211.6030	Smoke
211.6050	Smokeless Flare
211.6070	Solvent
211.6090	Solvent Cleaning
211.6110	Solvent Recovery System
211.6130	Source
211.6150	Specialty High Gloss Catalyzed Coating
211.6170	Specialty Leather
211.6190	Specialty Soybean Crushing Source
211.6210	Splash Loading
211.6230	Stack



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## NOTICE OF PROPOSED AMENDMENTS

211.6250	Stain Coating
211.6270	Standard Conditions
211.6290	Standard Cubic Foot (scf)
211.6310	Start-Up
211.6330	Stationary Emission Source
211.6350	Stationary Emission Unit
211.6370	Stationary Source
211.6390	Stationary Storage Tank
211.6410	Storage Tank or Storage Vessel
211.6430	Styrene Devolatilizer Unit
211.6450	Styrene Recovery Unit
211.6470	Submerged Loading Pipe
211.6490	Substrate
211.6510	Sulfuric Acid Mist
211.6530	Surface Condenser
211.6550	Synthetic Organic Chemical or Polymer Manufacturing Plant
211.6570	Tablet Coating Operation
211.6590	Thirty-Day Rolling Average
211.6610	Three-Piece Can
211.6630	Through-the-Valve Fill
211.6650	Tooling Resin
211.6670	Topcoat
211.6690	Topcoat Operation
211.6710	Touch-Up
211.6730	Transfer Efficiency
211.6750	Tread End Cementing
211.6770	True Vapor Pressure
211.6790	Turnaround
211.6810	Two-Piece Can
211.6830	Under-the-Cup Fill
211.6850	Undertread Cementing
211.6870	Unregulated Safety Relief Valve
211.6890	Vacuum Producing System
211.6910	Vacuum Service
211.6930	Valves Not Externally Regulated
211.6950	Vapor Balance System
211.6970	Vapor Collection System
211.6990	Vapor Control System
211.7010	Vapor-Mounted Primary Seal
211.7030	Vapor Recovery System
211.7050	Vapor-Suppressed Polyester Resin
211.7070	Vinyl Coating
211.7090	Vinyl Coating Line
211.7110	Volatile Organic Liquid (VOL)
211.7130	Volatile Organic Material Content (VOMC)

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211.7150	Volatile Organic Material (VOM) or Volatile Organic Compound (VOC)
211.7170	Volatile Petroleum Liquid
211.7190	Wash Coat
211.7210	Wastewater (Oil/Water) Separator
211.7230	Weak Nitric Acid Manufacturing Process
211.7250	Web
211.7270	Wholesale Purchase - Consumer
211.7290	Wood Furniture
211.7310	Wood Furniture Coating
211.7330	Wood Furniture Coating Line
211.7350	Woodworking

## APPENDIX A Rule into Section Table

## APPENDIX B Section into Rule Table

AUTHORITY: Implementing Sections 9, 9.1 and 10 and authorized by Section 27 and 28.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111, pars. 1009, 1009.1, 1010 and 1027), (P.A. 87-1213, effective September 26, 1992) [415 ILCS 5/9, 9.1, 10, 27 and 28.5 (1992)].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R89-16(A) at 14 Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R88-14 at 15 Ill. Reg. 7901, effective May 14, 1991; amended in R91-10 at 15 Ill. Reg. 15564, effective October 11, 1991; amended in R91-6 at 15 Ill. Reg. 15673, effective October 14, 1991; amended in R91-22 at 16 Ill. Reg. 7656, effective May 1, 1992; amended in R91-24 at 16 Ill. Reg. 13526, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16504, effective September 27, 1993; amended in

## POLLUTION CONTROL BOARD

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R93-11 at 17 Ill. Reg. 21471, effective December 7, 1993; amended in R93-14 at 18 Ill. Reg. 1253, effective January 18, 1994; amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 211.3480 Loading Event

"Loading event" begins with the connecting of marine terminal storage tanks to a marine vessel by means of piping or hoses, and includes the transfer of liquid from the storage tank into the marine vessel and ends with the disconnecting of the pipes or hoses.

(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## Section 211.3650 Marine Terminal

"Marine terminal" means a facility source primarily engaged in that loadings and unloadings water craft.

(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## Section 211.3660 Marine Vessel

"Marine vessel" means any tanker, freighter, barge, or other watercraft which transports solid or liquid freight, including grain, coal, rock, petroleum liquid, or crude oil in bulk.

(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## Section 211.6970 Vapor Collection System

"Vapor collection system" means all piping, seals, hoses, connections, pressure-vacuum vents, and other components between the gasoline delivery vessel or marine vessel and the vapor processing unit and/or the storage tanks.

(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## Section 211.6990 Vapor Control System

"Vapor control system" means any system that limits or prevents release to the atmosphere of organic material in the vapors

## POLLUTION CONTROL BOARD

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displaced from a tank or marine vessel during the transfer of gasoline or other volatile organic liquid.

(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Organic Material Emission Standards and Limitations for the Chicago Area

- 2) Code Citation: 35 Ill. Adm. Code 218

- 3) Section Numbers:

218.101	Amend	<u>Proposed Action:</u>
218.106	Amend	
218.760	New	
218.762	New	
218.764	New	
218.766	New	
218.768	New	
218.770	New	
218.920	Amend	
218.940	Amend	
218.960	Amend	
218.980	Amend	
218. Appendix E	New	

- 4) Statutory Authority:

415 ILCS 5/27 and 28.5

- 5) A Complete Description of the Subjects and Issues Involved:

The proposed rule addresses marine vessel loading. This control measure is Phase II of the Agency's required submittal for its 15% reduction of volatile organic material plan which the Agency submitted to USEPA in November of 1993. Illinois is required to adopt these measures or face possible sanctions from USEPA. Specifically, these amendments set forth the control requirements for marine vessel loading as well as compliance certification requirements. The amendments add recordkeeping and reporting requirements as well as testing and monitoring requirements. The amendments also delete barge loading facilities from the control requirements exemption.

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes ☐ No ☒

- 7) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒

If "yes," please specify date: \_\_\_\_\_

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- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? Yes

- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
218.112	Amend	18 Ill. Reg. 7602
218.583	Amend	18 Ill. Reg. 7602

- 10) Statement of Policy Objectives:

These proposed rules and amendments do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandate Act (30 ILCS 805/3(b)).

- 11) Time, Place, and Manner in which interested person may comment on this proposed rulemaking:

Send written comments concerning R94-15 within 45 days of publication in the Illinois Register to:

Dorothy Gunn  
Clerk of the Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

and

Rachel Doctors  
Assistant Counsel  
Illinois Environmental Protection Agency  
Bureau of Air  
P.O. Box 19276  
Springfield, IL 62794-9276

Questions regarding these proposed amendments should be addressed to: Marie E. Tipsord, Attorney Assistant, Pollution Control Board, (312) 814-4925

- 12) Initial Regulatory Flexibility Analysis:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

Small businesses are not affected to a greater extent under the proposed amendments; therefore, a regulatory flexibility analysis is not needed.

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 2, 1994
- B) Types of small businesses affected:
- C) Reporting, bookkeeping or other procedures required for compliance:
- D) Types of professional skills necessary for compliance:

The full text of the Proposed Rule(s) begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION  
 SUBTITLE B: AIR POLLUTION  
 CHAPTER I: POLLUTION CONTROL BOARD  
 SUBCHAPTER C: EMISSIONS STANDARDS AND LIMITATIONS  
 FOR STATIONARY SOURCES

PART 218  
 ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS FOR THE  
 CHICAGO AREA

## SUBPART A: GENERAL PROVISIONS

Section	
218.100	Introduction
218.101	Savings Clause
218.102	Abbreviations and Conversion Factors
218.103	Applicability
218.104	Definitions
218.105	Test Methods and Procedures
218.106	Compliance Dates
218.107	Operation of Afterburners
218.108	Exemptions, Variations, and Alternative Means of Control or Compliance Determinations
218.109	Vapor Pressure of Volatile Organic Liquids
218.110	Vapor Pressure of Organic Material or Solvents
218.111	Vapor Pressure of Volatile Organic Material
218.112	Incorporations by Reference
218.113	Monitoring for Negligibly-Reactive Compounds
218.114	Compliance with Permit Conditions

## SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

Section	
218.121	Storage Containers
218.122	Loading Operations
218.123	Petroleum Liquid Storage Tanks
218.124	External Floating Roofs
218.125	Compliance Dates (Repealed)
218.126	Compliance Plan (Repealed)

## SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

Section	
218.141	Separation Operations
218.142	Pumps and Compressors
218.143	Vapor Blowdown
218.144	Safety Relief Valves



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

## SUBPART E: SOLVENT CLEANING

## Section

218.181 Solvent Cleaning in General  
 218.182 Cold Cleaning  
 218.183 Open Top Vapor Degreasing  
 218.184 Conveyorized Degreasing  
 218.185 Compliance Schedule (Repealed)  
 218.186 Test Methods

## SUBPART F: COATING OPERATIONS

## Section

218.204 Emission Limitations  
 218.205 Daily-Weighted Average Limitations  
 218.206 Solids Basis Calculation  
 218.207 Alternative Emission Limitations  
 218.208 Exemptions from Emission Limitations  
 218.209 Exemption from General Rule on Use of Organic Material  
 218.210 Compliance Schedule  
 218.211 Recordkeeping and Reporting

## SUBPART G: USE OF ORGANIC MATERIAL

## Section

218.301 Use of Organic Material  
 218.302 Alternative Standard  
 218.303 Fuel Combustion Emission Units  
 218.304 Operations with Compliance Program

## SUBPART H: PRINTING AND PUBLISHING

## Section

218.401 Flexographic and Rotogravure Printing  
 218.402 Applicability  
 218.403 Compliance Schedule  
 218.404 Recordkeeping and Reporting  
 218.405 Heatset-Web-Offset Lithographic Printing

## SUBPART Q: LEAKS FROM SYNTHETIC ORGANIC CHEMICAL AND POLYMER MANUFACTURING PLANT

## Section

218.421 General Requirements  
 218.422 Inspection Program Plan for Leaks  
 218.423 Inspection Program for Leaks

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

## Section

218.424 Repairing Leaks  
 218.425 Recordkeeping for Leaks  
 218.426 Report for Leaks  
 218.427 Alternative Program for Leaks  
 218.428 Open-Ended Valves  
 218.429 Standards for Control Devices  
 218.430 Compliance Date (Repealed)

## SUBPART R: PETROLEUM REFINING AND RELATED INDUSTRIES; ASPHALT MATERIALS

## Section

218.441 Petroleum Refinery Waste Gas Disposal  
 218.442 Vacuum Producing Systems  
 218.443 Wastewater (Oil/Water) Separator  
 218.444 Process Unit Turnarounds  
 218.445 Leaks: General Requirements  
 218.446 Monitoring Program Plan for Leaks  
 218.447 Monitoring Program for Leaks  
 218.448 Recordkeeping for Leaks  
 218.449 Reporting for Leaks  
 218.450 Alternative Program for Leaks  
 218.451 Sealing Device Requirements  
 218.452 Compliance Schedule for Leaks  
 218.453 Compliance Dates (Repealed)

## SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

## Section

218.461 Manufacture of Pneumatic Rubber Tires  
 218.462 Green Tire Spraying Operations  
 218.463 Alternative Emission Reduction Systems  
 218.464 Emission Testing  
 218.465 Compliance Dates (Repealed)  
 218.466 Compliance Plan (Repealed)

## SUBPART T: PHARMACEUTICAL MANUFACTURING

## Section

218.480 Applicability  
 218.481 Control of Reactors, Distillation Units, Crystallizers, Centrifuges and Vacuum Dryers  
 218.482 Control of Air Dryers, Production Equipment Exhaust Systems and Filters  
 218.483 Material Storage and Transfer  
 218.484 In-Process Tanks  
 218.485 Leaks

## POLLUTION CONTROL BOARD

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218.486 Other Emission Units  
 218.487 Testing  
 218.488 Monitoring for Air Pollution Control Equipment  
 218.489 Recordkeeping for Air Pollution Control Equipment

## SUBPART V: AIR OXIDATION PROCESSES

Section  
 218.521 Definitions (Repealed)  
 218.525 Emission Limitations for Air Oxidation Processes  
 218.526 Testing and Monitoring  
 218.527 Compliance Date (Repealed)

## SUBPART W: AGRICULTURE

Section  
 218.541 Pesticide Exception

## SUBPART X: CONSTRUCTION

Section  
 218.561 Architectural Coatings  
 218.562 Paving Operations  
 218.563 Cutback Asphalt

## SUBPART Y: GASOLINE DISTRIBUTION

Section  
 218.581 Bulk Gasoline Plants  
 218.582 Bulk Gasoline Terminals  
 218.583 Gasoline Dispensing Operations - Storage Tank Filling Operations  
 218.584 Gasoline Delivery Vessels  
 218.585 Gasoline Volatility Standards  
 218.586 Gasoline Dispensing Operations - Motor Vehicle Fueling Operations

## SUBPART Z: DRY CLEANERS

Section  
 218.601 Perchloroethylene Dry Cleaners  
 218.602 Applicability  
 218.603 Leaks  
 218.604 Compliance Dates (Repealed)  
 218.605 Compliance Plan (Repealed)  
 218.606 Exception to Compliance Plan (Repealed)  
 218.607 Standards for Petroleum Solvent Dry Cleaners

## POLLUTION CONTROL BOARD

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218.608 Operating Practices for Petroleum Solvent Dry Cleaners  
 218.609 Program for Inspection and Repair of Leaks  
 218.610 Testing and Monitoring  
 218.611 Applicability for Petroleum Solvent Dry Cleaners  
 218.612 Compliance Dates (Repealed)  
 218.613 Compliance Plan (Repealed)

## SUBPART AA: PAINT AND INK MANUFACTURING

Section  
 218.620 Applicability  
 218.621 Exemption for Waterbase Material and Heatset-Offset Ink  
 218.623 Permit Conditions (Repealed)  
 218.624 Open Top Mills, Tanks, Vats or Vessels  
 218.625 Grinding Mills  
 218.626 Storage Tanks  
 218.628 Leaks  
 218.630 Clean Up  
 218.636 Compliance Schedule  
 218.637 Recordkeeping and Reporting

## SUBPART BB: POLYSTYRENE PLANTS

Section  
 218.640 Applicability  
 218.642 Emissions Limitation at Polystyrene Plants  
 218.644 Emissions Testing

## SUBPART CC: POLYESTER RESIN PRODUCT MANUFACTURING PROCESS

Section  
 218.660 Applicability  
 218.666 Control Requirements  
 218.667 Compliance Schedule  
 218.668 Testing  
 218.670 Recordkeeping and Reporting for Exempt Emission Units  
 218.672 Recordkeeping and Reporting for Subject Emission Units

## SUBPART DD: AEROSOL CAN FILLING

Section  
 218.680 Applicability  
 218.686 Control Requirements  
 218.688 Testing  
 218.690 Recordkeeping and Reporting for Exempt Emission Units  
 218.692 Recordkeeping and Reporting for Subject Emission Units



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## NOTICE OF PROPOSED AMENDMENTS

SUBPART GG: MARINE TERMINALS

Section	
219.760	Applicability
219.762	Control Requirements
219.764	Compliance Certification
219.766	Leaks
219.768	Testing and Monitoring
219.770	Recordkeeping and Reporting
218.875	Applicability of Subpart BB (Renumbered)
218.877	Emissions Limitation at Polystyrene Plants (Renumbered)
218.879	Compliance Date (Repealed)
218.881	Compliance Plan (Repealed)
218.883	Special Requirements for Compliance Plan (Repealed)
218.886	Emissions Testing (Renumbered)

SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT MANUFACTURING PROCESSES

Section	
218.920	Applicability
218.923	Permit Conditions (Repealed)
218.926	Control Requirements
218.927	Compliance Schedule
218.928	Testing

SUBPART QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES

Section	
218.940	Applicability
218.943	Permit Conditions (Repealed)
218.946	Control Requirements
218.947	Compliance Schedule
218.948	Testing

SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING PROCESSES

Section	
218.960	Applicability
218.963	Permit Conditions (Repealed)
218.966	Control Requirements
218.967	Compliance Schedule
218.968	Testing

SUBPART TT: OTHER EMISSION UNITS

## POLLUTION CONTROL BOARD

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Section	
218.980	Applicability
218.983	Permit Conditions (Repealed)
218.986	Control Requirements
218.987	Compliance Schedule
218.988	Testing

SUBPART UU: RECORDKEEPING AND REPORTING

Section	
218.990	Exempt Emission Units
218.991	Subject Emission Units

Section 218.Appendix A: List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing

Section 218.Appendix B: VOM Measurement Techniques for Capture Efficiency

Section 218.Appendix C: Reference Methods and Procedures

Section 218.Appendix D: Coefficients for the Total Resource Effectiveness Index (TRE) Equation

Section 218.Appendix E: List of Affected Marine Terminals

AUTHORITY: Implementing Section 10 and authorized by Section 28.5 of the Environmental Protection Act (Ill. Rev. Stat., 1991, ch. 111, par. 1010) (P.A. 87-1213, effective September 26, 1992) [415 ILCS 5/10 and 28.5 (1992)].

SOURCE: Adopted at R91-7 at 15 Ill. Reg. 12231, effective August 16, 1991; amended in R91-23 at 16 Ill. Reg. 13564, effective August 24, 1992; amended in R91-28 and R91-30 at 16 Ill. Reg. 13864, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16636, effective September 27, 1993; amended in R93-14 at 18 Ill. Reg. at 1945, effective January 24, 1994; amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART A: GENERAL PROVISIONS

Section 218.101	Savings Clause
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- a) Every owner or operator of an emission unit formerly subject to 35 Ill. Adm. Code Part 215 shall have complied with its standards and limitations by the dates and schedules applicable to the emission unit in accordance with 35 Ill. Adm. Code 215 or upon initial start-up. All compliance dates or schedules found in

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35 Ill. Adm. Code 215 are not superseded by this Part and remain in full force and effect.

b) Nothing in this Part shall affect the responsibility of any owner or operator that is now or has been subject to the FIP to comply with its requirements thereunder by the dates specified in the FIP.

c) Nothing in this Part as it is amended from time to time shall relieve the owner or operator of a source subject to the requirements of this Part from the obligation to comply with the applicable requirements and compliance dates set forth in Section 218.106 of this Subpart or any specific schedules contained within the applicable Subparts of this Part even though those compliance dates may have been expressly superseded by subsequent amendments.

(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 218.106 Compliance Dates

a) Except as provided in Section 218.106 (c) and (d) below or as otherwise provided in a specific Subpart of this Part, compliance with the requirements of all rules is required by July 1, 1991, or September 1, 1991, for all sources located in Cook, DuPage, Kane, Lake, McHenry or Will Counties, consistent with the appropriate provisions of Section 218.103 of this Part.

b) Except as provided in Section 218.106 (c) and (d) below or as otherwise provided in a specific Subpart of this Part, compliance with the requirements of this Part is required by November 15, 1993, for all sources located in Aux Sable Township or Goose Lake Township in Grundy County or in Oswego Township in Kendall County.

c) All emission units which meet the applicability requirements of 218.402(a)(2), 218.611(b), 218.620(b), 218.660(a), 218.680(a), 218.920(b), 218.940(b), 218.960(b) or 218.980(b) of this Part, including emission units at sources which are excluded from the applicability criteria of Sections 218.402(a)(1), 218.611(a), 218.620(a), 218.920(a), 218.940(a), 218.960(a), or 218.980(a) of this Part by virtue of permit conditions or other enforceable means, must

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comply with the requirements of Subparts H, Z, AA, CC, DD, PP, QQ, RR or TT of this Part, respectively, by March 15, 1995. Any owner or operator of an emission unit which has already met the applicability requirements of Sections 218.402(a)(1), 218.611(a), 218.620(a), 218.920(a), 218.940(a), 218.960(a), 218.980(a) of this Part on or by the effective date of this subsection is required to comply with all compliance dates or schedules found in Sections 218.106(a) or 218.106(b) above, as applicable.

d) As this Part is amended from time to time, compliance dates included in the specific Subparts supersede the requirements of this Section except as limited by Section 218.101(c) of this Subpart.

(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART GG: MARINE TERMINALS

## Section 218.760

## Applicability

a) The requirements of this Subpart shall apply to sources that load or who are permitted to load gasoline or crude oil.

b) The requirements of this Subpart shall not apply to the following activities:

- 1) Loading of liquids associated with the fueling of marine vessels; or
- 2) The transfer of liquids from one marine vessel to another marine vessel.

(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 218.762

## Control Requirements

a) Except as provided at subsection (c) of this Section, every owner or operator of a marine terminal subject to the requirements of this Subpart shall equip each terminal with a vapor collection and control system that:



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- 1) Captures the vapors displaced during the loading event and reduces overall VOM emissions by at least 95% by weight through the use of either a vapor combustion system or a vapor recovery system;
- 2) Is maintained and operated so that it prevents visible liquid leaks, significant odors, and visible fumes in the liquid transfer and the vapor collection lines, and appurtenances during loading; and
- 3) Has been certified as required by Coast Guard regulations found at 33 CFR 154.

b) From May 1 to September 15, every owner or operator of a marine terminal subject to the requirements of this Subpart shall load gasoline or crude oil only into marine vessels that are:

- 1) Equipped with vapor collection equipment that has been certified as required by Coast Guard regulations found at 46 CFR 39;
- 2) Connected to the vapor collection system; and
- 3) Is vapor-tight as described in subsections (b)(3)(A), (b)(3)(B), (b)(3)(C), or (b)(3)(D) of this Section:

- A) The owner or operator of the marine terminal shall load each marine vessel with a vacuum assisted vapor collection system, instrumented in such a way that the pump(s) transferring gasoline or crude oil to the marine vessel will not operate unless the vapor collection system is properly connected and properly operating.
- B) As an alternative to subsection (b)(3)(A) of this Section, the owner or operator of the marine terminal shall obtain documentation as described in Section 218.770(b) of this Subpart that the marine vessel has been vapor-tightness tested within the preceding 12 months using Method 21 of Part 60, Appendix A, incorporated by reference at

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Section 218.112 of this Part, as described in Section 218.768(e)(2) of this Subpart.

- C) If there is no documentation of a successful leak test conducted on the marine vessel in the preceding 12 months, the owner or operator of the marine terminal shall require that a leak test of the marine vessel be conducted during the final 20 percent of loading of the marine vessel or shall not load the vessel. The test shall be conducted when the marine vessel is being loaded at the maximum liquid transfer rate for that transfer operation. The owner or operator of the marine terminal shall require that the documentation described in Section 218.770(b) of this Subpart is completed prior to departure of the vessel.
  - D) If the marine vessel has failed its most recent vapor-tightness leak test at the marine terminal, before the marine vessel can be loaded, the owner or operator of the marine terminal shall require that the owner or operator of the marine vessel provide documentation that the leaks detected during the previous vapor-tightness leak test have been repaired and that the marine vessel has been vapor-tightness tested since the leak(s) has been repaired pursuant to subsection (b)(3)(B) of this Section.
- c) As an alternative to the control requirements of subsections (a) and (b) of this Section, an owner or operator of a marine terminal subject to the control requirements of this Subpart may comply by showing:
- 1) Operation of a vapor collection and control system for the loading of gasoline or crude oil from marine vessels in accordance with the regulations adopted by the US EPA pursuant to Sections 112(d) or 183(f) of the CAA;
  - 2) Reduction of VOM emissions equivalent to the levels in Appendix E of this Part through a federally enforceable emission reduction plan; or

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- 3) An alternate procedure to those described that has been approved by the Agency and the USEPA in a federally enforceable permit or as a SIP revision.
- d) Nothing in this Subpart shall supersede any U. S. Coast Guard regulation that is more stringent than that contained in this Subpart.

(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### Section 218.764 Compliance Certification

By May 1, 1996, or upon initial startup or upon change in method of compliance, the owner or operator of a source subject to the requirements of this Subpart must certify compliance with the requirements of this Subpart by submitting to the Agency the following:

- a) If complying with Sections 218.762(a) and (b), or (c)(1), or (c)(3) of this Subpart:
- 1) The type of vapor collection and control system utilized;
  - 2) The date the system was installed;
  - 3) A demonstration that the vapor collection and control system achieves an overall efficiency of 95%;
  - 4) A copy of the U.S. Coast Guard certification required under 33 CFR 154; and
  - 5) The location (including the contact person's name, address, and telephone number) of the records required by Section 218.770 of this Subpart.
- b) If complying with Section 218.762(c)(2) of this Subpart, a federally enforceable emission reduction plan.

(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### Section 218.766 Leaks

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The owner or operator of a marine terminal shall comply with the requirements of Section 218.445 of this Part with respect to all equipment associated with the vapor collection and control system required by Section 218.762(a) of this Subpart.

(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### Section 218.768 Testing and Monitoring

- a) Compliance with Section 218.762(a)(2) of this Subpart shall be determined by visual inspection and by the leak detection methods contained in Section 218.105(g) of this Part.
- b) If the control device used to comply with Section 218.762(a)(1) of this Subpart is a flare, compliance shall be determined by methods described in Section 218.429(c) of this Part.
- c) For all other control devices used to comply with Section 218.762(a)(1) of this Subpart, compliance shall be determined by methods described in Section 218.105(d) and (f) of this Part.
- d) Compliance with Section 218.762(b)(4) of this Subpart shall be determined by one of the methods described in this Section:
- 1) A marine vessel loaded in accordance with Section 218.762(b)(2)(a) of this Subpart through the use of a vacuum assisted vapor collection system is assumed to be vapor-tight for the purposes of this Subpart.
  - 2) A vapor-tightness test for marine vessels shall be conducted to include the final 20 percent of loading of each product tank of the marine vessel, and it shall be applied to any potential sources of vapor leaks on the vessel pursuant to Method 21 of 40 CFR 60, Appendix A, incorporated by reference at Section 218.112 of this part. A reading of 10,000 ppmv or greater as methane shall constitute a leak.
  - 3) As alternative to subsection (d)(2) of this Section, an owner or operator of a marine terminal



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may use the vapor-tightness test described in 40 CFR 61.304(f), incorporated by reference at Section 218.112 of this Part.

- e) When in the opinion of the Agency or USEPA it is necessary to conduct testing to demonstrate compliance with or verify effectiveness of the vapor collection and control system required by Section 218.762(a), (c)(1), or (c)(3) of this Subpart, the owner or operator of a marine terminal shall, at its own expense, conduct such tests in accordance with the applicable test methods and procedures specified in subsections (a), (b), or (c) of this Section, as applicable.

- f) An owner or operator of a marine terminal planning to conduct a VOM emissions test to demonstrate compliance with Sections 218.762(a), (c)(1), or (c)(3) of this Subpart shall notify the Agency of that intent not less than 30 days before the planned initiation of the tests so that the Agency may observe the test.

(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 218.770 Recordkeeping and Reporting

- a) The owner or operator of sources complying with Sections 219.762(a) and (b), or (c)(1), or (c)(3) of this Subpart shall maintain records regarding the marine terminal and each time a marine vessel is loaded. The records shall include but are not limited to:

- 1) The date(s) and the time(s) at which the marine vessel was loaded from the marine terminal;
- 2) The name, type, identification number, and owner of the vessel loaded;
- 3) The type and amount of liquid loaded into the marine vessel;
- 4) Records of any leaks found, repair attempts, and the results of the required fugitive monitoring and maintenance program, including appropriate dates, test methods, instrument readings, repair

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results, and corrective action taken as required by Sections 218.762(a)(2) and 218.766 of this Subpart:

- 5) A copy of the Coast Guard certification demonstrating that the marine terminal's vapor collection and control system has been certified as required by Coast Guard regulations found at 33 CFR 154; and
  - 6) A copy of the Coast Guard certification demonstrating that the marine vessel has been inspected and certified as required by Coast Guard regulations found at 46 CFR 39.
- b) Owners or operators complying with Sections 218.762(b)(3)(B), (b)(3)(C), or (b)(3)(D) shall additionally maintain the following records concerning the vapor-tightness of the marine vessel:
- 1) Test title;
  - 2) Owner of the marine vessel tested;
  - 3) The identification number of the marine vessel tested;
  - 4) Testing location;
  - 5) Tester name and signature;
  - 6) Witnessing inspector, name, signature, and affiliation; and
  - 7) Test results.
- c) Owners or operators complying with the requirements of Section 218.762(c)(2) of this Subpart shall maintain records of daily product volumes loaded to demonstrate that the applicable emission reduction specified in Appendix E of this Part have been achieved.
- d) All records required by subsections (a), (b), and (c) of this Section shall be maintained for at least three years and shall be made available to the Agency upon request.

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(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT  
MANUFACTURING PROCESSES

Section 218.920 Applicability

a) Maximum theoretical emissions:

- 1) A source is subject to this Subpart if it contains process emission units not regulated by Subparts B, E, F (excluding Section 218.204(1)), H (excluding Section 218.405), Q, R, S, T, (excluding Section 218.486) V, X, Y, Z or BB of this Part, which as a group both:

- A) Have maximum theoretical emissions of 90.7 Mg (100 tons) or more per calendar year of VOM, and

- B) Are not limited to less than 90.7 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment, through production or capacity limitations contained in a federally enforceable permit or a SIP revision.

- 2) If a source is subject to this Subpart as provided above, the requirements of this Subpart shall apply to a source's miscellaneous fabricated product manufacturing process emission units which are not included within any of the categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z, AA, or BB of this Part.

b) Potential to emit:

- 1) A source is subject to this Subpart if it has the potential to emit 22.7 Mg (25 tons) or more of VOM per year, in aggregate, from emission units that are:

- A) Not regulated by Subparts B, E, F, H, Q, R, S, T (excluding Section 218.486), V, X, Y, Z, or BB of this Part, or

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- B) Not included in any of the following categories: synthetic organic chemical manufacturing industry (SOCMI) distillation, SOCMI reactors, wood furniture, plastic parts coating (business machines), plastic parts coating (other), offset lithography, industrial wastewater, autobody refinishing, SOCMI batch processing, volatile organic liquid storage tanks and clean-up solvents operations.

- 2) If a source is subject to this Subpart as provided above, the requirements of this Subpart shall apply to a source's miscellaneous fabricated product manufacturing process emission units, which are:

- A) Not included within any of the categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z, AA, BB, CC, or DD of this Part, or

- B) Not included in any of the following categories: synthetic organic chemical manufacturing industry (SOCMI) distillation, SOCMI reactors, wood furniture, plastic parts coating (business machines), plastic parts coating (other), offset lithography, industrial wastewater, autobody refinishing, SOCMI batch processing, volatile organic liquid storage tanks and clean-up solvents operations.

- c) If a source ceases to fulfill the criteria of subsections (a) and/or (b) above, the requirements of this Subpart shall continue to apply to a miscellaneous fabricated products manufacturing process emission unit which was subject to the control requirements of Section 218.926 of this Part.

- d) No limits under this Subpart shall apply to emission units with emissions of VOM to the atmosphere less than or equal to 0.91 Mg (1.0 ton) per calendar year if the total emissions from such emission units not complying with Section 218.926 of this Part does not exceed 4.5 Mg (5.0 tons) per calendar year, provided that this provision shall not apply to an emission unit which is



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a leather coating line or operation at a source where the criteria of Section 218.920(a) above are not met.

e) For the purposes of this Subpart, an emission unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission unit is considered not regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met.

f) For the purposes of this Subpart, VOM emissions in the absence of air pollution control equipment are the emissions of VOM which would result if no air pollution control equipment were used.

g) The control requirements in Subpart PP shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery plants); fuel combustion units; bakeries; large-leaching-facilities; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, but not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source; and iron and steel production.

(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART QQ: MISCELLANEOUS FORMULATION  
MANUFACTURING PROCESSES

Section 218.940 Applicability

a) Maximum theoretical emissions:

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1) A source is subject to this Subpart if it contains process emission units not regulated by Subparts B, E, F (excluding Section 218.204(1)), H (excluding Section 218.405), Q, R, S, T (excluding Section 218.486), V, X, Y, Z or BB of this Part, which as a group both:

A) Have maximum theoretical emissions of 90.7 Mg (100 tons) or more per calendar year of VOM, and

B) Are not limited to less than 90.7 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment through production or capacity limitations contained in a federally enforceable permit or a SIP or FIP revision.

2) If a source is subject to this Subpart as provided above, the requirements of this Subpart shall apply to a source's miscellaneous formulation manufacturing process emission units which are not included within any of the categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z, AA, or BB of this Part.

b) Potential to emit:

1) A source is subject to this Subpart if it has the potential to emit 22.7 Mg (25 tons) or more of VOM per year, in aggregate, from emission units that are:

A) Not regulated by Subparts B, E, F, H, Q, R, S, T (excluding Section 218.486), V, X, Y, Z, or BB of this Part, or

B) Not included in any of the following categories: synthetic organic chemical manufacturing industry (SOCMI) distillation, SOCMI reactors, wood furniture, plastic parts coating (business machines), plastic parts coating (other), offset lithography, industrial wastewater, autobody refinishing, SOCMI batch processing, volatile organic liquid storage tanks and clean-up solvents operations.

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2) If a source is subject to this Subpart as provided above, the requirements of this Subpart shall apply to a source's miscellaneous formulation manufacturing process emission units which are:

- A) Not included within any of the categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z, AA, BB, CC, or DD of this Part, or
- B) Not included in any of the following categories: synthetic organic chemical manufacturing industry (SOCMI) distillation, SOCMI reactors, wood furniture, plastic parts coating (business machines), plastic parts coating (other), offset lithography, industrial wastewater, autobody refinishing, SOCMI batch processing, volatile organic liquid storage tanks and clean-up solvents operations.

c) If a source ceases to fulfill the criteria of subsections (a) and/or (b) above, the requirements of this Subpart shall continue to apply to a miscellaneous formulation manufacturing process emission unit which was ever subject to the control requirements of Section 218.946 of this Part.

d) No limits under this Subpart shall apply to emission units with emissions of VOM to the atmosphere less than or equal to 2.3 Mg (2.5 tons) per calendar year if the total emissions from such emission units not complying with this Section does not exceed 4.5 Mg (5.0 tons) per calendar year.

e) For the purposes of this Subpart, an emission unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission unit is considered not regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met.

f) For the purposes of this Subpart, VOM emissions in the absence of air pollution control equipment are the

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emissions of VOM which would result if no air pollution control equipment were used.

- g) The control requirements in Subpart QQ shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery plants); fuel combustion units; bakeries; ~~barge loading facilities~~; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, but not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source; and iron and steel production.

(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART RR: MISCELLANEOUS ORGANIC  
CHEMICAL MANUFACTURING PROCESSES

## Section 218.960 Applicability

## a) Maximum theoretical emissions:

- 1) A source is subject to this Subpart if it contains process emission units not regulated by Subparts B, E, F (excluding Section 218.204(1)), H (excluding Section 218.405), Q, R, S, T, (excluding Section 218.486) V, X, Y, Z or BB of this Part, which as a group both:
  - A) Have maximum theoretical emissions of 90.7 Mg (100 tons) or more per calendar year of VOM, and
  - B) Are not limited to less than 90.7 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment through production or capacity



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limitations contained in a federally enforceable permit or a SIP revision.

- 2) If a source is subject to this Subpart as provided above, the requirements of this Subpart shall apply to a source's miscellaneous organic chemical manufacturing process emission units which are not included within any of the categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z, AA, or BB of this Part.

## b) Potential to emit:

- 1) A source is subject to this Subpart if it has the potential to emit 22.7 Mg (25 tons) or more of VOM per year, in aggregate, from emission units other than VOM leaks from components that are:
- A) Not regulated by Subparts B, E, F, H, Q, R, S, T (excluding Section 218.486), V, X, Y, Z, or BB of this Part, or
  - B) Not included in one of the following categories: synthetic organic chemical manufacturing industry (SOCMI) distillation, SOCMI reactors, wood furniture, plastic parts coating (business machines), plastic parts coating (other), offset lithography, industrial wastewater, autobody refinishing, SOCMI batch processing, volatile organic liquid storage tanks and clean-up solvents operations.
- 2) If a source is subject to this Subpart as provided above, the requirements of this Subpart shall apply to a source's miscellaneous organic chemical manufacturing process emission units which are:
- A) Not included within the categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z, AA, BB, CC, or DD of this Part, or
  - B) Not included in any of the following categories: synthetic organic chemical manufacturing industry (SOCMI) distillation, SOCMI reactors, wood furniture, plastic parts coating (business machines), plastic parts

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coating (other), offset lithography, industrial wastewater, autobody refinishing, SOCMI batch processing, volatile organic liquid storage tanks and clean-up solvents operations.

- c) If a source ceases to fulfill the criteria of subsections (a) and/or (b) above, the requirements of this Subpart shall continue to apply to a miscellaneous organic chemical manufacturing process emission unit which was subject to the control requirements of Section 218.966 of this Part.
- d) No limits under this Subpart shall apply to emission units with emissions of VOM to the atmosphere less than or equal to 0.91 Mg (1.0 ton) per calendar year if the total emissions from such emission units not complying with Section 218.966 of this Part does not exceed 4.5 Mg (5.0 tons) per calendar year.
- e) For the purposes of this Subpart, an emission unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission unit is considered not regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met.
- f) For the purposes of this Subpart, VOM emissions in the absence of air pollution control equipment are the emissions of VOM which would result if no air pollution control equipment were used.
- g) The control requirements in Subpart RR shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery plants); fuel combustion units; bakeries; ~~large-leaching-facilities~~; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, but not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging not including blending and preliminary expansion of

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resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source; and iron and steel production.

(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART TT: OTHER EMISSION UNITS

## Section 218.980 Applicability

## a) Maximum theoretical emissions:

- 1) A source is subject to this Subpart if it contains process emission units not regulated by Subparts B, E, F (excluding Section 218.204(1)), H (excluding Section 218.405), Q, R, S, T (excluding Section 218.486), V, X, Y, Z or BB of this Part, which as a group both:

- A) Have maximum theoretical emissions of 90.7 Mg (100 tons) or more per calendar year of VOM, and
- B) Are not limited to less than 90.7 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment through production or capacity limitations contained in a federally enforceable permit or a SIP revision.

- 2) If a source is subject to this Subpart as provided above, the requirements of this Subpart shall apply to a source's VOM emission units which are not included within any of the categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z, AA, BB, PP, QQ, or RR of this Part or which are not exempted from permitting requirements pursuant to 35 Ill. Adm. Code 201.146.

## b) Potential to emit:

- 1) A source is subject to this Subpart if it has the potential to emit 22.7 Mg (25 tons) or more of VOM

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per year, in aggregate, from emission units, other than furnaces at glass container manufacturing sources and VOM leaks from components, that are:

- A) Not regulated by Subparts B, E, F, H, Q, R, S, T, (excluding Section 218.486), V, X, Y, Z, or BB of this Part, or
  - B) Not included in any of the following categories: synthetic organic chemical manufacturing industry (SOCMI) distillation, SOCMI reactors, wood furniture, plastic parts coating (business machines), plastic parts coating (other), offset lithography, industrial wastewater, autobody refinishing, SOCMI batch processing, volatile organic liquid storage tanks and clean-up solvents operations.
- 2) If a source is subject to this Subpart as provided above, the requirements of this Subpart shall apply to a source's VOM emission units, which are:
    - A) Not included within any of the categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z, AA, BB, CC, DD, PP, QQ or RR of this Part, or which are not exempted from permitting requirements pursuant to 35 Ill. Adm. Code 201.146 (excluding Section 201.146(o) and (p)), or
    - B) Not included in any of the following categories: synthetic organic chemical manufacturing industry (SOCMI) distillation, SOCMI reactors, wood furniture, plastic parts coating (business machines), plastic parts coating (other), offset lithography, industrial wastewater, autobody refinishing, SOCMI batch processing, volatile organic liquid storage tanks and clean-up solvents operations.

- c) If a source ceases to fulfill the criteria of subsections (a) and/or (b) above, the requirements of this Subpart shall continue to apply to an emission unit which was ever subject to the control requirements of Section 218.986 of this Part.



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d) No limits under this Subpart shall apply to emission units with emissions of VOM to the atmosphere less than or equal to 2.3 Mg (2.5 tons) per calendar year if the total emissions from such emission units not complying with Section 218.986 of this Part does not exceed 4.5 Mg (5.0 tons) per calendar year.

e) For the purposes of this Subpart, an emission unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission unit is considered not regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met.

f) The control requirements in Subpart TT shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery plants); fuel combustion units; bakeries; barge-loading facilities; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, but not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin, and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source; iron and steel production; and furnaces at glass container manufacturing sources.

(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## APPENDIX E

## List of Affected Marine Terminals

The following table identifies the expected volatile organic material (VOM) emission reductions, in pounds per day in 1996, from the control of the marine vessel loading of gasoline and

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crude oil from the listed sources, their successors, and assigns. Such reduction of VOM emissions must occur after November 1990 and may not include reductions resulting from compliance with any federally required controls or from any measures included in any State Implementation Plan adopted by the State of Illinois to satisfy any other Clean Air Act requirement.

Facility	Permit/Source	Reduction
Mobil-Joliet Refining Corp	88010021045	1,595
Facility ID # 197800AAA		
Texaco Refining	84050048007	541
Facility ID # 197810AAA		
UNO-VEN Company	88010019055	549
Facility ID # 197090AAI		

(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- 1) Heading of the Part: Organic Material Emission Standards and Limitations for the Metro East Area

- 2) Code Citation: 35 Ill. Adm. Code 219

- 3) Section Numbers:

219.101	Amend
219.106	Amend
219.760	New
219.762	New
219.764	New
219.766	New
219.768	New
219.770	New
219.920	Amend
219.940	Amend
219.960	Amend
219.980	Amend
219. Appendix E	New

- 4) Statutory Authority:

415 ILCS 5/27 and 28.5

- 5) A Complete Description of the Subjects and Issues Involved:

The proposed rule addresses marine vessel loading. This control measure is Phase II of the Agency's required submittal for its 15% reduction of volatile organic material plan which the Agency submitted to USEPA in November of 1993. Illinois is required to adopt these measures or face possible sanctions from USEPA. Specifically, these amendments set forth the control requirements for marine vessel loading as well as compliance certification requirements. The amendments add recordkeeping and reporting requirements as well as testing and monitoring requirements. The amendments also delete barge loading facilities from the control requirements exemption.

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes X No

- 7) Does this rulemaking contain an automatic repeal date? Yes X No

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If "yes," please specify date: \_\_\_\_\_

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? Yes

- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
219.112	Amend	18 Ill. Reg. 7618
219.583	Amend	18 Ill. Reg. 7618
219.585	Amend	18 Ill. Reg. 7618

- 10) Statement of Policy Objectives:

These proposed rules and amendments do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandate Act (30 ILCS 805/3(b)).

- 11) Time, Place, and Manner in which interested person may comment on this proposed rulemaking:

Send written comments concerning R94-15 within 45 days of publication in the Illinois Register to:

Dorothy Gunn  
Clerk of the Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

and

Rachel Doctors  
Assistant Counsel  
Illinois Environmental Protection Agency  
Bureau of Air  
P.O. Box 19276  
Springfield, IL 62794-9276

Questions regarding these proposed amendments should be addressed to: Marie E. Tipsord, Attorney Assistant, Pollution Control Board, (312) 814-4925

- 12) Initial Regulatory Flexibility Analysis:



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Small businesses are not affected to a greater extent under the proposed amendments; therefore, a regulatory flexibility analysis is not needed.

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 2, 1994

B) Types of small businesses affected:

C) Reporting, bookkeeping or other procedures required for compliance:

D) Types of professional skills necessary for compliance:

The full text of the Proposed Rule(s) begins on the next page:

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## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE B: AIR POLLUTION

## CHAPTER I: POLLUTION CONTROL BOARD

## SUBCHAPTER C: EMISSIONS STANDARDS

## AND LIMITATIONS FOR STATIONARY SOURCES

## PART 219

## ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS FOR METRO EAST AREA

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219.103  
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Introduction  
Savings Clause  
Abbreviations and Conversion Factors  
Applicability  
Definitions  
Test Methods and Procedures  
Compliance Dates  
Operation of Afterburners  
Exemptions, Variations, and Alternative Means of Control or Compliance Determinations  
Vapor Pressure of Volatile Organic Liquids  
Vapor Pressure of Organic Material or Solvent  
Vapor Pressure of Volatile Organic Material  
Incorporations by Reference  
Monitoring for Negligibly-Reactive Compounds

## SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

Section  
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219.122  
219.123  
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Storage Containers  
Loading Operations  
Petroleum Liquid Storage Tanks  
External Floating Roofs  
Compliance Dates (Repealed)  
Compliance Plan (Repealed)

## SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

Section  
219.141  
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Separation Operations  
Pumps and Compressors  
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## 219.144 Safety Relief Valves

## SUBPART E: SOLVENT CLEANING

Section  
219.181 Solvent Cleaning in General  
219.182 Cold Cleaning  
219.183 Open Top Vapor Degreasing  
219.184 Conveyorized Degreasing  
219.185 Compliance Schedule (Repealed)  
219.186 Test Methods

## SUBPART F: COATING OPERATIONS

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219.204 Emission Limitations  
219.205 Daily-Weighted Average Limitations  
219.206 Solids Basis Calculation  
219.207 Alternatives Emission Limitations  
219.208 Exemptions From Emission Limitations  
219.209 Exemption From General Rule on Use of Organic Material  
219.210 Compliance Schedule  
219.211 Recordkeeping and Reporting

## SUBPART G: USE OF ORGANIC MATERIAL

Section  
219.301 Use of Organic Material  
219.302 Alternative Standard  
219.303 Fuel Combustion Emission Units  
219.304 Operations with Compliance Program

## SUBPART H: PRINTING AND PUBLISHING

Section  
219.401 Flexographic and Rotogravure Printing  
219.402 Applicability  
219.403 Compliance Schedule  
219.404 Recordkeeping and Reporting  
219.405 Heatset-Web-Offset Lithographic Printing

SUBPART Q: LEAKS FROM SYNTHETIC  
ORGANIC CHEMICAL AND POLYMER  
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Section  
219.421 General Requirements

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219.422 Inspection Program Plan for Leaks  
219.423 Inspection Program for Leaks  
219.424 Repairing Leaks  
219.425 Recordkeeping for Leaks  
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219.427 Alternative Program for Leaks  
219.428 Open-Ended Valves  
219.429 Standards for Control Devices  
219.430 Compliance Date (Repealed)

SUBPART R: PETROLEUM REFINING AND RELATED  
INDUSTRIES; ASPHALT MATERIALS

Section  
219.441 Petroleum Refinery Waste Gas Disposal  
219.442 Vacuum Producing Systems  
219.443 Wastewater (Oil/Water) Separator  
219.444 Process Unit Turnarounds  
219.445 Leaks: General Requirements  
219.446 Monitoring Program Plan for Leaks  
219.447 Monitoring Program for Leaks  
219.448 Recordkeeping for Leaks  
219.449 Reporting for Leaks  
219.450 Alternative Program for Leaks  
219.451 Sealing Device Requirements  
219.452 Compliance Schedule for Leaks  
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SUBPART S: RUBBER AND MISCELLANEOUS  
PLASTIC PRODUCTS

Section  
219.461 Manufacture of Pneumatic Rubber Tires  
219.462 Green Tire Spraying Operations  
219.463 Alternative Emission Reduction Systems  
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219.465 Compliance Dates (Repealed)  
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## SUBPART T: PHARMACEUTICAL MANUFACTURING

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219.480 Applicability  
219.481 Control of Reactors, Distillation Units, Crystallizers,  
Centrifuges and Vacuum Dryers  
219.482 Control of Air Dryers, Production Equipment Exhaust  
Systems and Filters



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219.483 Material Storage and Transfer  
 219.484 In-Process Tanks  
 219.485 Leaks  
 219.486 Other Emission Units  
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## SUBPART V: AIR OXIDATION PROCESSES

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 219.521 Definitions (Repealed)  
 219.525 Emission Limitations for Air Oxidation Processes  
 219.526 Testing and Monitoring  
 219.527 Compliance Date (Repealed)

## SUBPART W: AGRICULTURE

Pesticide Exception

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Architectural Coatings  
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## SUBPART Y: GASOLINE DISTRIBUTION

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 219.581 Bulk Gasoline Plants  
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 219.583 Gasoline Dispensing Operations - Storage Tank Filling Operations  
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 219.586 Gasoline Dispensing Operations - Motor Vehicle Fueling Operations (Repealed)

## SUBPART Z: DRY CLEANERS

Section  
 219.601 Perchloroethylene Dry Cleaners  
 219.602 Exemptions  
 219.603 Leaks  
 219.604 Compliance Dates (Repealed)

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219.605 Compliance Plan (Repealed)  
 219.606 Exception to Compliance Plan (Repealed)  
 219.607 Standards for Petroleum Solvent Dry Cleaners  
 219.608 Operating Practices for Petroleum Solvent Dry Cleaners  
 219.609 Program for Inspection and Repair of Leaks  
 219.610 Testing and Monitoring  
 219.611 Exemption for Petroleum Solvent Dry Cleaners  
 219.612 Compliance Dates (Repealed)  
 219.613 Compliance Plan (Repealed)

## SUBPART AA: PAINT AND INK MANUFACTURING

Section  
 219.620 Applicability  
 219.621 Exemption for Waterbase Material and Heatset-Offset Ink  
 219.623 Permit Conditions  
 219.624 Open-Top Mills, Tanks, Vats or Vessels  
 219.625 Grinding Mills  
 219.626 Storage Tanks  
 219.628 Leaks  
 219.630 Clean Up  
 219.636 Compliance Schedule  
 219.637 Recordkeeping and Reporting

## SUBPART BB: POLYSTYRENE PLANTS

Section  
 219.640 Applicability  
 219.642 Emissions Limitation at Polystyrene Plants  
 219.644 Emissions Testing

## SUBPART GG: MARINE TERMINALS

Section  
 219.760 Applicability  
 219.762 Control Requirements  
 219.764 Compliance Certification  
 219.766 Leaks  
 219.768 Testing and Monitoring  
 219.770 Recordkeeping and Reporting  
 219.875 Applicability of Subpart BB (Renumbered)  
 219.877 Emissions Limitation at Polystyrene Plants (Renumbered)  
 219.879 Compliance Date (Repealed)  
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 219.883 Special Requirements for Compliance Plan (Repealed)  
 219.886 Emissions Testing (Renumbered)

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SUBPART PP: MISCELLANEOUS FABRICATED  
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SUBPART QQ: MISCELLANEOUS FORMULATION  
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219.940  
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219.948

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SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL  
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219.960  
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219.980  
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219.986  
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Applicability  
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Exempt Emission Units  
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Section 219.Appendix A: List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing  
Section 219.Appendix B: VOM Measurement Techniques for Capture Efficiency  
Section 219.Appendix C: Reference Test Methods For Air Oxidation Processes  
Section 219.Appendix D: Coefficients for the Total Resource Effectiveness Index (TRE) Equation  
Section 219.Appendix E: List of Affected Marine Terminals

AUTHORITY: Implementing Section 10 and authorized by Section 28.5 of the Environmental Protection Act (Ill. Rev. Stat., 1991, ch. 111, par. 1010) (P.A. 87-1213, effective September 26, 1992) [415 ILCS 5/10 and 28.5 (1992)].

SOURCE: Adopted at R91-8 at 15 Ill. Reg. 12491, effective August 16, 1991; amended in R91-24 at 16 Ill. Reg. 13597, effective August 24, 1992; amended in R91-30 at 16 Ill. Reg. 13883, effective August 24, 1992; emergency amendment in R93-12 at 17 Ill. Reg. 8295, effective May 24, 1993, for a maximum of 150 days, amended in R93-9 at 17 Ill. Reg. 16918, effective September 27, 1993 and October 21, 1993; amended in R93-28 at 18 Ill. Reg. 4242, effective March 3, 1994; amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL PROVISIONS

## Section 219.101 Savings Clause

a) Every owner or operator of an emission unit formerly subject to 35 Ill. Adm. Code 215 shall have complied with its standards and limitations by the dates and schedules applicable to the emission unit in accordance with Part 215 or upon initial start-up. All compliance dates or schedules found in Part 215 are not superseded by this Part and remain in full force and effect.

b) Nothing in this Part as it is amended from time to time shall relieve the owner or operator of a source subject to the requirements of this Part of the obligation to have complied with applicable requirements by the compliance dates set forth in Section 219.106 of this Subpart or in specific Subparts of this Part even though those compliance dates have been superseded by subsequent amendments.



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(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 219.106 Compliance Dates

a) Except as provided in subsection (b) below, compliance with the requirements of all rules this Part is required by May 15, 1992, consistent with the provisions of Section 219.103 of this Part.

b) As this Part is amended from time to time, compliance dates included in the specific Subparts supersede the requirements of this Section except as limited by Section 219.101(b) of this Subpart.

(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART GG: MARINE TERMINALS

## Section 219.760 Applicability

a) The requirements of this Subpart shall apply to sources that load or who are permitted to load gasoline or crude oil.

b) The requirements of this Subpart shall not apply to the following activities:

1) Loading of liquids associated with the fueling of marine vessels; or

2) The transfer of liquids from one marine vessel to another marine vessel.

(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 219.762 Control Requirements

a) Except as provided at subsection (c) of this Section, every owner or operator of a marine terminal subject to the requirements of this Subpart shall equip each terminal with a vapor collection and control system that:

1) Captures the vapors displaced during the loading event and reduces overall VOM emissions by at least 95% by

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weight through the use of either a vapor combustion system or a vapor recovery system;

2) Is maintained and operated so that it prevents visible liquid leaks, significant odors, and visible fumes in the liquid transfer and the vapor collection lines, and appurtenances during loading; and

3) Has been certified as required by Coast Guard regulations found at 33 CFR 154.

b) From May 1 to September 15, every owner or operator of a marine terminal subject to the requirements of this Subpart shall load gasoline or crude oil only into marine vessels that are:

1) Equipped with vapor collection equipment that has been certified as required by Coast Guard regulations found at 46 CFR 39;

2) Connected to the vapor collection system; and

3) Is vapor-tight as described in subsections (b)(3)(A), (b)(3)(B), (b)(3)(C), or (b)(3)(D) of this Section:

A) The owner or operator of the marine terminal shall load each marine vessel with a vacuum assisted vapor collection system, instrumented in such a way that the pump(s) transferring gasoline or crude oil to the marine vessel will not operate unless the vapor collection system is properly connected and properly operating.

B) As an alternative to subsection (b)(3)(A) of this Section, the owner or operator of the marine terminal shall obtain documentation as described in Section 219.770(b) of this Subpart that the marine vessel has been vapor-tightness tested within the preceding 12 months using Method 21 of Part 60. Appendix A, incorporated by reference at Section 219.112 of this Part, as described in Section 219.768(e)(2) of this Subpart.

C) If there is no documentation of a successful leak test conducted on the marine vessel in the preceding 12 months, the owner or operator of the marine terminal shall require that a leak test of the

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marine vessel be conducted during the final 20 percent of loading of the marine vessel or shall not load the vessel. The test shall be conducted when the marine vessel is being loaded at the maximum liquid transfer rate for that transfer operation. The owner or operator of the marine terminal shall require that the documentation described in Section 219.770(b) of this Subpart is completed prior to departure of the vessel.

D) If the marine vessel has failed its most recent vapor-tightness leak test at the marine terminal, before the marine vessel can be loaded, the owner or operator of the marine terminal shall require that the owner or operator of the marine vessel provide documentation that the leaks detected during the previous vapor-tightness leak test have been repaired and that the marine vessel has been vapor-tightness tested since the leak(s) has been repaired pursuant to subsection (b)(3)(B) of this Section.

c) As an alternative to the control requirements of subsections (a) and (b) of this Section, an owner or operator of a marine terminal subject to the control requirements of this Subpart may comply by showing:

1) Operation of a vapor collection and control system for the loading of gasoline or crude oil from marine vessels in accordance with the regulations adopted by the USEPA pursuant to Sections 112(d) or 183(f) of the CAA;

2) Reduction of VOM emissions equivalent to the levels in Appendix E of this Part through a federally enforceable emission reduction plan; or

3) An alternate procedure to those described that has been approved by the Agency and the USEPA in a federally enforceable permit or as a SIP revision.

d) Nothing in this Subpart shall supersede any U. S. Coast Guard regulation that is more stringent than that contained in this Subpart.

(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## Section 219.764 Compliance Certification

By May 1, 1996, or upon initial startup or upon change in method of compliance, the owner or operator of a source subject to the requirements of this Subpart must certify compliance with the requirements of this Subpart by submitting to the Agency the following:

a) If complying with Sections 219.762(a) and (b), or (c)(1), or (c)(3) of this Subpart:

1) The type of vapor collection and control system utilized;

2) The date the system was installed;

3) A demonstration that the vapor collection and control system achieves an overall efficiency of 95%;

4) A copy of the U.S. Coast Guard certification required under 33 CFR 154; and

5) The location (including the contact person's name, address, and telephone number) of the records required by Section 219.770 of this Subpart.

b) If complying with Section 219.762(c)(2) of this Subpart, a federally enforceable reduction plan.

(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 219.766 Leaks

The owner or operator of a marine terminal shall comply with the requirements of Section 219.445 of this Part with respect to all equipment associated with the vapor collection and control system required by Section 219.762(a) of this Subpart.

(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 219.768 Testing and Monitoring

a) Compliance with Section 219.762(a)(2) of this Subpart shall be determined by visual inspection and by the leak



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detection methods contained in Section 219.105(g) of this Part.

b) If the control device used to comply with Section 219.762(a)(1) of this Subpart is a flare, compliance shall be determined by methods described in Section 219.429(c) of this Part.

c) For all other control devices used to comply with Section 219.762(a)(1) of this Subpart, compliance shall be determined by methods described in Section 219.105(d) and (f) of this Part.

d) Compliance with Section 219.762(b)(4) of this Subpart shall be determined by one of the methods described in this Section:

- 1) A marine vessel loaded in accordance with Section 219.762(b)(2)(a) of this Subpart through the use of a vacuum assisted vapor collection system is assumed to be vapor-tight for the purposes of this Subpart.
- 2) A vapor-tightness test for marine vessels shall be conducted to include the final 20 percent of loading of each product tank of the marine vessel, and it shall be applied to any potential sources of vapor leaks on the vessel pursuant to Method 21 of 40 CFR 60, Appendix A, incorporated by reference at Section 219.112 of this Part. A reading of 10,000 ppmv or greater as methane shall constitute a leak.
- 3) As alternative to subsection (d)(2) of this Section, an owner or operator of a marine terminal may use the vapor-tightness test described in 40 CFR 61.304(f), incorporated by reference at Section 219.112 of this Part.
- e) When in the opinion of the Agency or USEPA it is necessary to conduct testing to demonstrate compliance with or verify effectiveness of the vapor collection and control system required by Section 219.762(a), (c)(1), or (c)(3) of this Subpart, the owner or operator of a marine terminal shall, at its own expense, conduct such tests in accordance with the applicable test methods and procedures specified in subsections (a), (b), or (c) of this Section, as applicable.

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f) An owner or operator of a marine terminal planning to conduct a VOM emissions test to demonstrate compliance with Sections 219.762(a), (c)(1), or (c)(3) of this Subpart shall notify the Agency of that intent not less than 30 days before the planned initiation of the tests so that the Agency may observe the test.

(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 219.770 Recordkeeping and Reporting

- a) The owner or operator of sources complying with Sections 219.762(a) and (b), or (c)(1), or (c)(3) of this Subpart shall maintain records regarding the marine terminal and each time a marine vessel is loaded. The records shall include but are not limited to:
  - 1) The date(s) and the time(s) at which the marine vessel was loaded from the marine terminal;
  - 2) The name, type, identification number, and owner of the vessel loaded;
  - 3) The type and amount of liquid loaded into the marine vessel;
  - 4) Records of any leaks found, repair attempts, and the results of the required fugitive monitoring and maintenance program, including appropriate dates, test methods, instrument readings, repair results, and corrective action taken as required by Sections 219.762(a)(2) and 219.766 of this Subpart;
  - 5) A copy of the Coast Guard certification demonstrating that the marine terminal's vapor collection and control system has been certified as required by Coast Guard regulations found at 33 CFR 154; and
  - 6) A copy of the Coast Guard certification demonstrating that the marine vessel has been inspected and certified as required by Coast Guard regulations found at 46 CFR 39.
- b) Owners or operators complying with Sections 219.762(b)(3)(B), (b)(3)(C), or (b)(3)(D) shall

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additionally maintain the following records concerning the vapor-tightness of the marine vessel:

- 1) Test title:
  - 2) Owner of the marine vessel tested:
  - 3) The identification number of the marine vessel tested:
  - 4) Testing location:
  - 5) Tester name and signature:
  - 6) Witnessing inspector, name, signature, and affiliation:  
and
  - 7) Test results.
- c) Owners or operators complying with the requirements of Section 219.762(c)(2) of this Subpart shall maintain records of daily product volumes loaded to demonstrate that the applicable emission reduction specified in Appendix E of this Part have been achieved.
- d) All records required by subsections (a), (b), and (c) of this Section shall be maintained for at least three years and shall be made available to the Agency upon request.

SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT  
MANUFACTURING PROCESSES

Section 219.920 Applicability

- a) The requirements of this Subpart shall apply to a source's miscellaneous fabricated product manufacturing process emission units which are not included within any of the categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z or BB if the source is subject to this Subpart. A source is subject to this Subpart if it contains process emission units, not regulated by Subparts B, E, F (excluding Section 219.204(l) of this Part), H (excluding Section 219.405 of this Part), Q, R, S, T, (excluding Section 219.486 of this Part), V, X, Y, Z or BB of this Part; which as a group both:

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- 1) Have maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and
- 2) Are not limited to less than 91 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment, through production or capacity limitations contained in a federally enforceable permit or a SIP revision.
- b) If a source ceases to fulfill the criteria of subsection (a) above, the requirements of this Subpart shall continue to apply to a miscellaneous fabricated products manufacturing process emission unit which was ever subject to the control requirements of Section 219.926 of this Part.
- c) No limits under this Subpart shall apply to emission units with emissions of VOM to the atmosphere less than or equal to 0.91 Mg (1.0 ton) per calendar year if the total emissions from such emission units not complying with Section 219.926 of this Part does not exceed 4.5/Mg (5.0 tons) per calendar year.
- d) For the purposes of this Subpart, an emission unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission unit is not considered regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met.
- e) For the purposes of this Subpart, uncontrolled VOM emissions are the emissions of VOM which would result if no air pollution control equipment were used.
- f) The control requirements in Subpart PP shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery plants); fuel combustion units; bakeries; barge-loading facilities; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, but not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production



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of polystyrene foam packaging not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source; and iron and steel production.

(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES

## Section 219.940 Applicability

- a) The requirements of this Subpart shall apply to a source's miscellaneous formulation manufacturing process emission units, which are not included within any of the categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z or BB of this Part if the source is subject to this Subpart. A source is subject to this Subpart if it contains process emission units, not regulated by Subparts B, E, F (excluding Section 219.204(1) of this Part), H (excluding Section 219.405 of this Part), Q, R, S, T (excluding Section 219.486 of this Part), V, X, Y, Z or BB of this Part; which as a group both:

- 1) Have maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and
- 2) Are not limited to less than 91 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment, through production or capacity limitations contained in a federally enforceable permit or a SIP revision.

- b) If a source ceases to fulfill the criteria of subsection (a) of this Section, the requirements of this Subpart shall continue to apply to a miscellaneous formulation manufacturing process emission unit which was ever subject to the control requirements of Section 219.946 of this Part.

- c) No limits under this Subpart shall apply to emission units with emissions of VOM to the atmosphere less than or equal to 2.3 Mg (2.5 tons) per calendar year if the total

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emissions from such emission units not complying with this Section does not exceed 4.5 Mg (5.0 tons) per calendar year.

- d) For the purposes of this Subpart, an emission unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission unit is not considered regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met.

- e) For the purposes of this Subpart, uncontrolled VOM emissions are the emissions of VOM which would result if no air pollution control equipment were used.

- f) The control requirements in Subpart QQ shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery plants); fuel combustion units; bakeries; ~~barge-loading facilities~~; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, but not including to blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source; and iron and steel production.

(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING PROCESSES

## Section 219.960 Applicability

- a) The requirements of this Subpart shall apply to a source's miscellaneous organic chemical manufacturing process emission units which are not included within any of the categories specified in Subparts B, E, F, H, Q, R, S, T,

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V, X, Y, Z or BB of this Part, if the source is subject to this Subpart. A source is subject to this Subpart if it contains process emission units, not regulated by Subparts B, E, F (excluding Section 219.204(1) of this Part), H (excluding Section 219.405 of this Part), Q, R, S, T (excluding Section 219.486 of this Part) V, X, Y, Z or BB of this Part; which as a group both:

- 1) Have maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and
- 2) Are not limited to less than 91 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment, through production or capacity limitations contained in a federally enforceable permit or a SIP revision.

b) If a source ceases to fulfill the criteria of Subsection

(a) of this Section, the requirements of this Subpart shall continue to apply to a miscellaneous organic chemical manufacturing process emission unit which was ever subject to the control requirements of Section 219.966 of this Part.

c) No limits under this Subpart shall apply to emission units with emissions of VOM to the atmosphere less than or equal to 0.91 Mg (1.0 ton) per calendar year if the total emissions from such emission units not complying with Section 219.966 of this Part does not exceed 4.5 Mg (5.0 tons) per calendar year.

d) For the purposes of this Subpart, an emission unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission unit is not considered regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met.

e) For the purposes of this Subpart, uncontrolled VOM emissions are the emissions of VOM which would result if no air pollution control equipment were used.

f) The control requirements in Subpart RR shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery

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plants); fuel combustion units; bakeries; barge-loading facilities; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, but not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source; and iron and steel production.

(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART TT: OTHER EMISSION UNITS

## Section 219.980 Applicability

a) The requirements of this Subpart shall apply to a source's VOM emission units, which are not included within any of the categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z, AA, BB, PP, QQ, or RR of this Part, or are not exempted from permitting requirements pursuant to 35 Ill. Adm. Code 201.146, if the source is subject to this Subpart. A source is subject to this Subpart if it contains process emission units, not regulated by Subparts B, E, F (excluding Section 219.204(1) of this Part), H (excluding Section 219.405 of this Part), Q, R, S, T, (excluding Section 218.486 of this Part), V, X, Y, Z or BB of this Part, which as a group both:

- 1) Have maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and
- 2) Are not limited to less than 91 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment, through production or capacity limitations contained in a federally enforceable permit or a SIP revision.



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- b) If a source ceases to fulfill the criteria of subsection (a) of this Section, the requirements of this Subpart shall continue to apply to an emission unit which was ever subject to the control requirements of Section 219.986 of this Part.
- c) No limits under this Subpart shall apply to emission units with emissions of VOM to the atmosphere less than or equal to 2.3 Mg (2.5 tons) per calendar year if the total emissions from such emission unit not complying with Section 219.986 of this Part does not exceed 4.5 Mg (5.0 tons) per calendar year.
- d) For the purposes of this Subpart, an emission unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission unit is not considered regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met.
- e) The control requirements in Subpart TT shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery); fuel combustion units; bakeries; barge loading facilities; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, but not including blending and preliminary expansion of resin prior to molding where a blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source); and iron and steel production.

(Source: Amended in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## APPENDIX E

## List of Affected Marine Terminals

The following table identifies the expected volatile organic material (VOM) emission reductions, in pounds per day in 1996.

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from the control of the marine vessel loading of gasoline and crude oil from the listed sources, their successors, and assigns. Such reduction of VOM emissions must occur after November 1990 and may not include reductions resulting from compliance with any federally required controls or from any measures included in any State Implementation Plan adopted by the State of Illinois to satisfy any other Clean Air Act requirement.

Facility	Permit#	Reduction
Phillips Pipeline Co. Facility ID# 163020AAB	73040515014	10
Clark Oil and Refining Corp. Facility ID # 197800AAA	72110678053	468
Marathon Pipe Line Co. Facility ID # 119050AAF	73021451001	2,417
Conoco Pipe Line Co. Facility ID # 119050AAK	73031095011	2,759
Shell Oil Co. Facility ID # 119090AAA	87120058128	7,554
Amoco Distribution Center Facility ID # 119115AAV	73020080007	10,443

(Source: Added in R94-15 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)





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These proposed amendments may have an impact on small businesses, small municipalities, and not for profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act. These entities shall indicate their status as small businesses, small municipalities, or not for profit corporations as part of any written comments they submit to the Department.

12) Initial Regulatory Flexibility Analysis:

A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 14, 1994

B) Types of small businesses affected: Long term care facilities; Partnership program sponsors and providers of medical care.

C) Reporting, bookkeeping or other procedures required for compliance:  
None

D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMS

PART 140  
MEDICAL PAYMENT

## SUBPART A: GENERAL PROVISIONS

Section	Incorporation By Reference
140.1	Medical Assistance Programs
140.2	Covered Services Under the Medical Assistance Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP, Individuals Under Age 18 Not Eligible for AFDC, Pregnant Women Who Would Be Eligible if the Child Were Born and Pregnant Women and Children Under Age Eight Who Do Not Qualify as Mandatory Categorically Needy and Disabled Persons Under Age 21 Who May Qualify for Medicaid and In-Home Care (Model Waiver)
140.4	Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
140.5	Covered Medical Services Under GA
140.6	Medical Services Not Covered
140.7	Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
140.8	Medical Assistance For Qualified Severely Impaired Individuals
140.9	Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy Medical Assistance Provided to Incarcerated Persons
140.10	

## SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section	Enrollment Conditions for Medical Providers
140.11	Participation Requirements for Medical Providers
140.12	Definitions
140.13	Denial of Application to Participate in the Medical Assistance Program
140.14	Recovery of Money
140.15	Termination or Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.16	Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.17	Effect of Termination on Individuals Associated with Vendor
140.18	Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring
140.19	Submission of Claims
140.20	

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140.21	Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)
140.22	Magnetic Tape Billings
140.23	Payment of Claims
140.24	Payment Procedures
140.25	Overpayment or Underpayment of Claims
140.26	Payment to Factors Prohibited
140.27	Assignment of Vendor Payments
140.28	Record Requirements for Medical Providers
140.30	Audits
140.31	Emergency Services Audits
140.32	Prohibition on Participation, and Special Permission for Participation
140.33	Publication of List of Terminated, Suspended or Barred Entities
140.35	False Reporting and Other Fraudulent Activities
140.40	Prior Approval for Medical Services or Items
140.41	Prior Approval in Cases of Emergency
140.42	Limitation on Prior Approval
140.43	Post Approval for items or Services When Prior Approval Cannot Be Obtained
140.71	Reimbursement for Medical Services Through the Use of a C-13
140.72	Invoice Voucher Advance Payment and Expedited Payments
140.73	Drug Manual (Recodified)
	Drug Manual Updates (Recodified)
	SUBPART C: PROVIDER ASSESSMENTS
Section	
140.80	Hospital Provider Fund
140.82	Developmentally Disabled Care Provider Fund
140.84	Long Term Care Provider Fund
140.94	Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund
140.95	Hospital Services Trust Fund
140.96	General Requirements (Recodified)
140.97	Special Requirements (Recodified)
140.98	Covered Hospital Services (Recodified)
140.99	Hospital Services Not Covered (Recodified)
140.100	Limitation On Hospital Services (Recodified)
140.101	Transplants (Recodified)
140.102	Heart Transplants (Recodified)
140.103	Liver Transplants (Recodified)
140.104	Bone Marrow Transplants (Recodified)
140.110	Disproportionate Share Hospital Adjustments (Recodified)
140.116	Payment for Inpatient Services for GA (Recodified)
140.117	Hospital Outpatient and Clinic Services (Recodified)
140.200	Payment for Hospital Services During Fiscal Year 1982 (Recodified)
140.201	Payment for Hospital Services After June 30, 1982 (Repealed)

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140.202	Payment for Hospital Services During Fiscal Year 1983 (Recodified)
140.203	Limits on Length of Stay by Diagnosis (Recodified)
140.300	Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)
140.350	Copayments (Recodified)
140.360	Payment Methodology (Recodified)
140.361	Non-Participating Hospitals (Recodified)
140.362	Pre July 1, 1989 Services (Recodified)
140.363	Post June 30, 1989 Services (Recodified)
140.364	Prepayment Review (Recodified)
140.365	Base Year Costs (Recodified)
140.366	Restructuring Adjustment (Recodified)
140.367	Inflation Adjustment (Recodified)
140.368	Volume Adjustment (Repealed)
140.369	Groupings (Recodified)
140.370	Rate Calculation (Recodified)
140.371	Payment (Recodified)
140.372	Review Procedure (Recodified)
140.373	Utilization (Repealed)
140.374	Alternatives (Recodified)
140.375	Exemptions (Recodified)
140.376	Utilization, Case-Mix and Discretionary Funds (Repealed)
140.390	Subacute Alcoholism and Substance Abuse Services (Recodified)
140.391	Definitions (Recodified)
140.392	Types of Subacute Alcoholism and Substance Abuse Services (Recodified)
140.394	Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)
140.396	Rate Appeals for Subacute Alcoholism and Substance Abuse Services (Recodified)
140.398	Hearings (Recodified)
	SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES
Section	
140.400	Payment to Practitioners, Nurses and Laboratories
140.410	Physicians' Services
140.411	Covered Services By Physicians
140.412	Services Not Covered By Physicians
140.413	Limitation on Physician Services
140.414	Requirements for Prescriptions and Dispensing of Pharmacy Items - Physicians
140.416	Optometric Services and Materials
140.417	Limitations on Optometric Services
140.418	Department of Corrections Laboratory
140.420	Dental Services
140.421	Limitations on Dental Services



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140.422	Requirements for Prescriptions and Dispensing Items of Pharmacy Items - Dentists
140.425	Podiatry Services
140.426	Limitations on Podiatry Services
140.427	Requirement for Prescriptions and Dispensing of Pharmacy Items - Podiatry
140.428	Chiropractic Services
140.429	Limitations on Chiropractic Services (Repealed)
140.430	Independent Laboratory Services
140.431	Services Not Covered by Independent Laboratory
140.432	Limitations on Independent Laboratory Services
140.433	Payment for Laboratory Services
140.434	Record Requirements for Independent Laboratories
140.435	Nurse Services
140.436	Limitations on Nurse Services
140.440	Pharmacy Services
140.441	Pharmacy Services Not Covered
140.442	Prior Approval of Prescriptions
140.443	Filling of Prescriptions
140.444	Compounded Prescriptions
140.445	Prescription Items (Not Compounded)
140.446	Over-the-Counter Items
140.447	Reimbursement
140.448	Returned Pharmacy Items
140.449	Payment of Pharmacy Items
140.450	Record Requirements for Pharmacies
140.452	Mental Health Clinic Services
140.453	Definitions
140.454	Types of Mental Health Clinic Services
140.455	Payment for Mental Health Clinic Services
140.456	Hearings
140.457	Therapy Services
140.458	Prior Approval for Therapy Services
140.459	Payment for Therapy Services
140.460	Clinic Services
140.461	Clinic Participation, Data and Certification Requirements
140.462	Covered Services in Clinics
140.463	Clinic Service Payment
140.464	Healthy Moms/Healthy Kids Managed Care Clinics
140.465	Speech and Hearing Clinics (Repealed)
140.466	Rural Health Clinics
140.467	Independent Clinics
140.469	Hospice
140.470	Home Health Services
140.471	Home Health Covered Services
140.472	Types of Home Health Services
140.473	Prior Approval for Home Health Services
140.474	Payment for Home Health Services

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140.475	Medical Equipment, Supplies and Prosthetic Devices
140.476	Medical Equipment, Supplies and Prosthetic Devices for Which Payment Will Not Be Made
140.477	Limitations on Equipment, Supplies and Prosthetic Devices
140.478	Prior Approval for Medical Equipment, Supplies and Prosthetic Devices
140.479	Limitations, Medical Supplies
140.480	Equipment Rental Limitations
140.481	Payment for Medical Equipment, Supplies and Prosthetic Devices
140.482	Family Planning Services
140.483	Limitations on Family Planning Services
140.484	Payment for Family Planning Services
140.485	Healthy Kids Program
140.486	Limitations on Medichex Services (Repealed)
140.487	Healthy Kids Program Timeliness Standards
140.488	Periodicity Schedules, Immunizations and Diagnostic Laboratory Procedures
140.490	Medical Transportation
140.491	Limitations on Medical Transportation
140.492	Payment for Medical Transportation
140.495	Psychological Services
140.496	Payment for Psychological Services
140.497	Hearing Aids
SUBPART E: GROUP CARE	
Section	Group Care Services
140.500	Cessation of Payment at Federal Direction
140.502	Cessation of Payment for Improper Level of Care
140.503	Cessation of Payment Because of Termination of Facility
140.504	Continuation of Payment Because of Threat To Life
140.505	Provider Voluntary Withdrawal
140.506	Continuation of Provider Agreement
140.507	Determination of Need for Group Care
140.510	Long Term Care Services Covered By Department Payment
140.511	Utilization Control
140.512	Utilization Review Plan (Repealed)
140.513	Certifications and Recertifications of Care
140.514	Management of Recipient Funds--Personal Allowance Funds
140.515	Recipient Management of Funds
140.516	Correspondent Management of Funds
140.517	Facility Management of Funds
140.518	Use or Accumulation of Funds
140.519	Management of Recipient Funds--Local Office Responsibility
140.520	Room and Board Accounts
140.521	Reconciliation of Recipient Funds
140.522	Bed Reserves

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140.524	Cessation of Payment Due to Loss of License
140.525	Quality Incentive Program (QUIP) Payment Levels
140.526	Quality Incentive Standards and Criteria for the Quality Incentive Program (QUIP) (Repealed)
140.527	Quality Incentive Survey (Repealed)
140.528	Payment of Quality Incentive (Repealed)
140.529	Reviews (Repealed)
140.530	Basis of Payment for Long Term Care Services
140.531	General Service Costs
140.532	Health Care Costs
140.533	General Administration Costs
140.534	Ownership Costs
140.535	Costs for Interest, Taxes and Rent
140.536	Organization and Pre-Operating Costs
140.537	Payments to Related Organizations
140.538	Special Costs
140.539	Nurse's Aide Training and Testing
140.540	Costs Associated With Nursing Home Care Reform Act and Implementing Regulations
140.541	Salaries Paid to Owners or Related Parties
140.542	Cost Reports-Filing Requirements
140.543	Time Standards for Filing Cost Reports
140.544	Access to Cost Reports (Repealed)
140.545	Penalty for Failure to File Cost Reports
140.550	Update of Operating Costs
140.551	General Service Costs
140.552	Nursing and Program Costs
140.553	General Administrative Costs
140.554	Component Inflation Index
140.555	Minimum Wage
140.560	Components of the Base Rate Determination
140.561	Support Costs Components
140.562	Nursing Costs
140.563	Capital Costs
140.565	Kosher Kitchen Reimbursement
140.566	Out-of-State Placement
140.567	Level II Incentive Payments (Repealed)
140.568	Duration of Incentive Payments (Repealed)
140.569	Clients With Exceptional Care Needs
140.570	Capital Rate Component Determination
140.571	Capital Rate Calculation
140.572	Total Capital Rate
140.573	Other Capital Provisions
140.574	Capital Rates for Rented Facilities
140.575	Newly Constructed Facilities (Repealed)
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140.578	Property Taxes

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140.579	Specialized Living Centers
140.580	Mandated Capital Improvements (Repealed)
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140.582	Cost Adjustments
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140.584	Illinois Municipal Retirement Fund (IMRF)
140.590	Audit and Record Requirements
140.642	Screening Assessment for Long Term Care and Alternative Residential Settings and Services
140.643	In-Home Care Program
140.645	Medical and In-Home Care for Disabled Persons Under Age 21 (Model Waiver)
140.646	Reimbursement for Developmental Training (DT) Services for Individuals With Developmental Disabilities Who Reside in Long Term Care (ICF and SNF) and Residential (ICF/MR) Facilities
140.647	Description of Developmental Training (DT) Services
140.648	Determination of the Amount of Reimbursement for Developmental Training (DT) Programs
140.649	Effective Dates of Reimbursement for Developmental Training (DT) Programs
140.650	Certification of Developmental Training (DT) Programs
140.651	Decertification of Day Programs
140.652	Terms of Assurances and Contracts
140.680	Effective Date Of Payment Rate
140.700	Discharge of Long Term Care Residents
140.830	Appeals of Rate Determinations
140.835	Determination of Cap on Payments for Long Term Care (Repealed)

## SUBPART F: MEDICAID PARTNERSHIP PROGRAM

Section	
140.850	General Description (Repealed)
140.855	Definition of Terms (Repealed)
140.860	Covered Services (Repealed)
140.865	Sponsor Qualifications (Repealed)
140.870	Sponsor Responsibilities (Repealed)
140.875	Department Responsibilities (Repealed)
140.880	Provider Qualifications (Repealed)
140.885	Provider Responsibilities (Repealed)
140.890	Payment Methodology (Repealed)
140.895	Contract Monitoring (Repealed)
140.896	Reimbursement For Program Costs (Active Treatment) For Clients in Long Term Care Facilities For the Developmentally Disabled (Recodified)



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## SUBBPART G: HEALTHY MOMS/HEALTHY KIDS PROGRAM

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140.900 Reimbursement For Nursing Costs For Geriatric Residents in Group  
Care Facilities (Recodified)  
140.901 Functional Areas of Needs (Recodified)  
140.902 Service Needs (Recodified)  
140.903 Definitions (Recodified)  
140.904 Times and Staff Levels (Repealed)  
140.905 Statewide Rates (Repealed)  
140.906 Reconsiderations (Recodified)  
140.907 Midnight Census Report (Recodified)  
140.908 Times and Staff Levels (Recodified)  
140.909 Statewide Rates (Recodified)  
140.910 Referrals (Recodified)  
140.911 Basic Rehabilitation Aide Training Program (Recodified)  
140.912 Interim Nursing Rates (Recodified)  
140.920 General Description  
140.922 Covered Services  
140.924 Provider Participation Requirements  
140.926 Client Eligibility  
140.928 Client Enrollment and Program Components  
140.930 Reimbursement  
140.932 Payment Authorization for Referrals

SUBPART H: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT  
EQUITY (ICARE) PROGRAM

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140.940 Illinois Competitive Access and Reimbursement Equity (ICARE)  
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140.942 Definition of Terms (Recodified)  
140.944 Notification of Negotiations (Recodified)  
140.946 Hospital Participation in ICARE Program Negotiations (Recodified)  
140.948 Negotiation Procedures (Recodified)  
140.950 Factors Considered in Awarding ICARE Contracts (Recodified)  
140.952 Closing an ICARE Area (Recodified)  
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140.956 Payments to Contracting Hospitals (Recodified)  
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140.960 Inpatient Hospital Care or Services by Non-Contracting Hospitals  
Eligible for Payment (Recodified)  
140.962 Payment to Hospitals for Inpatient Services or Care not Provided  
under the ICARE Program (Recodified)  
140.964 Contract Monitoring (Recodified)  
140.966 Transfer of Recipients (Recodified)  
140.968 Validity of Contracts (Recodified)  
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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act  
(Ill. Rev. Stat. 1991, ch. 111 1/2, par. 6503-1 et seq.) [20 ILCS 2215/Art. 3]  
and implementing and authorized by Articles III, IV, V, VII and Section  
12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1  
et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13) [305  
ILCS 5/Arts. 3, 4, 5, 6, 7 and 5/12-13].

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule  
repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982;  
emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum  
of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended  
at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308,  
effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983;  
emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum  
of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at  
7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868,  
effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047,  
effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December  
21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency  
amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150  
days; codified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective  
February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984;  
amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg.  
6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16,  
1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a  
maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984;

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amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22155, effective October 29, 1984; peremptory amendment at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22,

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1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140. Table H and 140. Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147. Table A and 147. Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 24, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at



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14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill.

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Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7004, effective May 17, 1993; expedited correction at 17 Ill. Reg. 7078, effective December 1, 1992; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a maximum of 150 days; emergency amendment suspended effective October 12, 1993; amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

## SUBPART E: GROUP CARE

## Section 140.514 Certifications and Recertifications of Care

- a) Prior to the authorization of payment by the Illinois Department of Public Aid (IDPA), a physician must certify for each applicant or recipient in a Skilled Nursing Facility (SNF), an Intermediate Care Facility (ICF), an Intermediate Care Facility for the Mentally Retarded (ICF/MR), an Intermediate Care Facility for the Mentally Retarded-Skilled /Pediatric license, (ICF/MR (SNF/PED)), a Department of Mental Health and Developmental Disabilities (DMHDD) facility for psychiatric services, or a psychiatric hospital (PSYCH HOSP) that SNF, ICF, ICF/MR, ICF/MR(SNF/PED), DMHDD/PSYCH, or PSYCH HOSP services are needed.
- b) Recertifications of need for care must be conducted within the following intervals:
  - 1) SNFs and ICFs:
    - A) 30 60 days after the date of the initial certification; and

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Section 140.514(b)(1) (continued)

- B) ~~every 60 days thereafter, after the date of the initial certification~~
- C) ~~90 days after the date of the initial certification, and~~
- D) ~~every 60 days thereafter~~
- 2) ICFs, ICFs/MR and ICFs/MR(SNF/PED):
- A) 60 days after the date of the initial certification;
- B) 180 days after the date of the initial certification;
- C) 12 months after the date of the initial certification;
- D) 18 months after the date of the initial certification;
- E) 24 months after the date of the initial certification; and
- F) every 12 months thereafter.
- 3) DMHDD/PSYCHS and PSYCH HOSPS:
- A) 60 days after the date of the initial certification; and
- B) every 60 days thereafter.

(Source: Amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

Section 140.538 Special Costs

- a) Transportation -- The costs of transportation that is medically necessary and is of the type reimbursed by Public Aid in addition to the routine rate is not allowable. Other types of patient related transportation costs should be classified as either administrative costs or activity costs and are allowable.
- b) Ancillary Services -- are not an allowable expenditure. Ancillary services are those services which are not explicitly required by licensing requirements. Accordingly, the definition of ancillary service differs by licensure type, particularly between SNF and ICF, as compared to ICF/MR facilities.

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Section 140.538 (continued)

- c) For SNF or ICF, the following are ancillary services: occupational therapy by a licensed therapist, recreational therapy by a licensed therapist, dental care, work-related programs, rehabilitation by licensed personnel, pharmacy (other than "group care restricted"), psychological services (evaluation and diagnosis/behavior modification), and academic education by licensed personnel.
- d) These services, when offered by the above practitioners are ancillary services whether they are offered in the facility or outside the facility. Note, this does not include consultants or services offered by unlicensed personnel within the facility even if they relate to the above program areas.
- e) In an ICF/MR or SNF Pediatric facility the following services are ancillary: physician care, dental care -- except for dental screening, work-related programs (other than Level I Developmental Training and Level II Developmental Training as defined in Section 140.647, Description of Day Programming Service Levels), pharmacy (other than "group care restricted"), academic education, and any service for which the individual practitioner bills the Department directly or any service for which the provider directly bills another Department or another governmental unit, including local school districts.
- f) It is the responsibility of the individual provider to obtain prior approval before rendering ancillary services. Ancillary providers must be enrolled with the Department.
- g) Oxygen in excess of one tank per patient per month is reimbursed directly rather than as part of the per diem. In order to submit claims the facility must be enrolled as a provider of oxygen.
- h) Barber and Beauty Shops -- Costs associated with barber and beauty shops are not allowable.
- i) Coffee and Gift Shops -- Costs associated with coffee and gift shops are not allowable.
- j) Assessment fees required by Public Act 87-861 or Public Act 88-88 to be paid to the Department of Public Aid are not an allowable cost for reimbursement purposes. This fee must be reported on the cost report Schedule V, Section E, Special Cost Centers, Line 42.

(Source: Amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)



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## SUBPART F: MEDICAID PARTNERSHIP PROGRAM

## Section 140.850 General Description (Repealed)

A-Medicaid-Partnership-is-a-comprehensive-health-care-delivery-network established-to-provide-medical-and-case-management-services-to-Medicaid clients-in-designated-high-need-areas-in-East-St.-Louis-and-Chicago-which-are defined-by-wip-code-(62201,62204,62205,62207,62209,62071,62203,62205,62207,60630,60631,60610,60611,60622,60644,60624,60612,60623,60601-08,60616).--A-Partnership-is-represented-by-a-sponsoring-organization having-a-contractual-relationship-with-the-Department-of-Public-Aid.--The sponsoring-organization-shall-be-selected-through-the-Request-for-Proposal Process.--The-sponsoring-organization-shall-develop-written-agreements-among participating-providers-to-provide-care-to-clients.--The-Partnership-provides incentive-for-physician-participation-through-enhanced-fees.--Clients-are-not locked-into-Partnership-providers-for-medical-care,but-they-are-encouraged-to receive-health-services-through-them-by-an-integrated-case-management-system and-the-provision-of-quality-medical-care.

(Source: Repealed' at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 140.855 Definition of Terms (Repealed)

a) Partnership-Sponsor+--The-lead-entity-responsible-for-developing-and managing-the-Partnership-network+--The-Department's-contract-is-with the-Partnership-sponsor+--The-sponsor-initiates-agreements-with-other providers,-such-as-hospitals,-physicians,-home-health-care-vendors, and-substance-abuse-programs+--to-present-comprehensive-medical-care services-to-program-participants+--The-sponsor-is-also-responsible for-coordinating-clients'-medical-services-on-an-individual-basis-and providing-a-case-management-system-to-enable-clients-to-secure-health care.

b) Participating-Provider+--Any-physician,-hospital,-long-term-care facility,-home-health-agency,-drug-and-alcohol-treatment-program,-or other-medical-provider-who-provides-services-to-clients-under-the terms-of-a-contract-with-a-Partnership-sponsor.

(Source: Repealed at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 140.860 Covered Services (Repealed)

a) All-Services-covered-under-the-Illinois-Medicaid-Assistance-Program shall-be-available-in-targeted-Partnership-areas+--Partnerships-shall provide-at-a-minimum,-the-following-medical-services-either-directly-

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## Section 140.860(a) (continued)

through-participating-providers-or-indirectly-through-referral arrangements+.

1) Physician-primary-care-services-and-primary-care-services provided-by-certified-pediatric-nurse-practitioners-and-family nurse-practitioners,-including-office-based-physician-care preventive-services-for-children-and-adults,-prenatal-care-and delivery,-psychiatric-services,-and-child-optometric-and audiology-services+.

2) Other-physician-services-and-specialty-care+.

3) Family-planning-services+.

4) Inpatient-and-outpatient-hospital-services+.

5) Emergency-medical-services+.

6) Clinical-laboratory-services+.

7) Acute-and-subacute-treatment-for-alcohol-and-other-drug-abuse+.

8) Home-health-services+.

9) Rehabilitation-services+ and

10) Skilled-nursing-services+.

b) Clients-shall-be-able-to-access-care-through-Partnerships-seven-days a-week,-twenty-four-hours-a-day+--The-Partnership-is-not-required-to arrange-for-the-provision-of-prescription-drugs,-dental-services -chiropatric-or-pediatric-care,-intermediate-long-term-care,-durable medical-equipment-and-supplies,-or-the-services-of-subspecialty physicians+--The-Partnership-shall-provide-assistance-to-clients-in obtaining-treatment-from-subspecialty-physicians-and-or-purchasing-needed supplies+ and-transfer-of-medical-records-in-a-timely-fashion.

(Source: Repealed at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 140.865 Sponsor Qualifications (Repealed)

To-qualify-for-sponsorship-of-a-Medicaid-Partnership,-an-organization-shall meet-the-following-qualifications+.

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## Section 140.865 (continued)

- a) The organization shall be based in the State of Illinois.
- b) The organization shall be fiscally solvent as demonstrated by submission of an annual audit, performed by an independent auditing firm.
- c) The organization shall be organized to deliver medical care.
- d) The organization shall certify that it has not been convicted of bribery or of attempted bribery, nor has the organization made an admission of guilt of such conduct which is a matter of record, nor has an official, agent or employee of the organization been so convicted nor made such admission of bribery on behalf of the organization and pursuant to the direction of a responsible official of the organization.
- e) The organization shall certify that it has not been convicted of fraud or attempted fraud, nor has the organization made an admission of guilt of such conduct which is a matter of record, nor has an official, agent or employee of the organization been so convicted nor made such admission of fraud on behalf of the organization and pursuant to the direction of a responsible official of the organization.
- f) The organization shall demonstrate its ability to meet the service requirements identified in Sections 140.860 and 140.870.
- g) The organization shall employ at least five professional employees or physicians.

(Source: Repealed at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 140.870 Sponsor Responsibilities (Repealed)

The sponsor is responsible for the following:

- a) Quality Assurance.--The sponsor shall have a quality assurance program which provides for analysis of data on performance and patient results by participating physician and hospital.--The sponsor's quality assurance program shall also include a utilization review component which monitors the utilization of medical services and develops methods of encouraging appropriate patterns of utilization by providers and clients.

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## Section 140.870 (continued)

- b) Provider Selection.--The sponsor shall ensure that the selection of high quality participating providers meet the qualifications of Section 140.880.
- c) Physician Recruitment.--The sponsor shall develop physician participation goals and a plan for physician recruitment.
- d) Other Special Services.--The sponsor shall arrange for other special services for high need individuals, including the assignment of a case manager for each pregnant woman, child under age 8, person with AIDS, person with a chronic disease, and person who is disabled and receiving care through the Partnership.--The provision of other special services may be accomplished through a contracting relationship which requires Departmental approval of the subcontractor.--Other special services shall include the following:
  - 1) Arrangement or direct delivery of assistance a client may need for scheduling of appointments, transportation, or child care.
  - 2) Development of an individual family service plan.
  - 3) Follow up communication by telephone, in writing, or in person to provide health education and encourage compliance with treatment plans.
  - 4) Arrangement for or referral to social service agencies as necessary to meet the clients needs and to eliminate environmental, behavioral, or conditional barriers to seeking and obtaining primary care services.
  - 5) Referral of eligible clients to the appropriate case management program and tracking of services received.
  - 6) Interaction with providers to facilitate compliance with the treatment plan prescribed by the client's physician.
  - 7) Development and implementation of multi-method outreach services.
  - 8) Referral of infants and toddlers with developmental delay to Early Intervention Provider and infants and toddlers with handicapping conditions to the Division of Services for Crippled Children.
- e) Primary Care Case Management.--The sponsor shall arrange for and assure the delivery of medical services in a manner which provides for general and efficient management of the client's care.--Primary



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## Section 140.870(e) (continued)

care-case-management-shall-include-the-use-of-the-client's-primary physician-appropriate-referrals-to-specialists-and-other-needed services-specific-efforts-to-ensure-client-understanding-of treatment-plans-and-the-management-of-inpatient-care.

f) Record-Maintenance.--The-sponsor-shall-maintain-medical-records-for clients-using-Partnership-services-as-required-under-Section-140.20, and-ensure-the-appropriate-transfer-of-medical-records-when-required.

g) Client-Education.--The-sponsor-shall-develop-health-care-education programs-for-clients-on-the-use-of-health-care-services,-and-provide informational-materials-on-the-Partnership-and-its-services,-in cooperation-with-the-Department.--Educational-programs-shall-include information-on-how-to-use-the-system,-including-use-of-emergency services,-and-information-on-preventive-care-with-a-special-focus-on pregnant-women-and-children.

h) Reports.--The-sponsor-shall-submit-reports-to-the-Department-to enable-monitoring-of-the-individual-Partnership-networks.

i) Administration.--The-sponsor-shall-manage-the-Partnership administrative-and-financial-affairs,-and-provide-evidence-of appropriate-liability-insurance-against-the-risk-of-malpractice claims-brought-against-them-for-the-operation-of-the-Partnership network.

(Source: Repealed at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 140.875 Department Responsibilities (Repealed)

## Responsibilities-of-the-Department-includes .

a) Providing-information-to-clients-living-in-service-areas,-on-behalf of-Partnerships,-for-promotional-and-case-management-purposes.

b) Working-with-Partnerships-on-client-education-initiatives.

c) Developing-case-management-programs-in-cooperation-with-the Partnerships,-and

d) Checking-a-provider's-professional-license-status-with-the-Department of-Professional-Regulation,-on-behalf-of-the-sponsor.

(Source: Repealed at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC AID

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## Section 140.880 Provider Qualifications (Repealed)

a) Partnership-providers-shall-meet-the-same-minimum-qualifications-as are-applicable-for-all-medical-providers-under-the-Illinois-Medical Assistance-Program.

b) Partnership-providers-shall-be-enrolled-and-in-good-standing-with-the Illinois-Medical-Assistance-Program.

c) Partnership-physician-providers-shall-hold-delivery-privileges-as appropriate,-at-Partnership-hospitals-or-a-written-referral agreement-with-another-participating-physician-having-such-privileges.

d) Partnership-providers-shall-meet-any-additional-qualifications-or participation-requirements-imposed-by-the-Partnership-sponsor-which are-approved-by-the-Department.

(Source: Repealed at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 140.885 Provider Responsibilities (Repealed)

a) Partnership-providers-shall-accept-referrals-from-the-Partnership sponsor,-the-various-case-management-entities,-and-other-Partnership providers.

b) Partnership-providers-shall-provide-quality-care-to-all-patients.

c) Partnership-providers-shall-actively-participate-and-fully-cooperate in-quality-assurance,-peer-review-and-attestation-review-activities of-the-Partnership.

d) Partnership-providers-shall-interact-with-case-managers-to-ensure physician-input-into-the-individual-Service-Plan-and-assess-patient compliance-with-the-treatment-plan.

e) Partnership-providers-shall-refer-high-risk-patients-to-the appropriate-case-management-entity-for-assessment-and-determination of-need-for-case-management-services.

f) Partnership-providers-shall-meet-all-reporting-requirements-of-the Partnership.

(Source: Repealed at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## Section 140.890 Payment Methodology (Repealed)

a) Participating Providers--The reimbursement structure for physicians participating in Partnerships shall be on a fee-for-service basis. In addition, participating physicians shall receive a fee-incentive of 10% of the Department's rate for performing primary care services listed in Section 140.890, Table K which are provided to clients living in designated Partnership areas. For these primary care services listed in Section 140.890, Table L, the 10% incentive for participating physicians shall be computed from the surgical incentive add-on amount.

b) Partnership Sponsors--The Department shall compensate the Partnership sponsor for provision of case management services, provision of other special services, administrative and support services, and outreach activities. Compensation shall be negotiated based on projected volume of participants to be served.

(Source: Repealed at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## Section 140.895 Contract Monitoring (Repealed)

The Department shall monitor the provisions of each contract with each Partnership sponsor through analysis of monthly reports from the sponsor(s) and performance of an annual audit. The Department may exercise the option of using independent utilization review or other resources to monitor sponsor contracts.

(Source: Repealed at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## Section 140.890 Services Qualifying for 10% Add-On (Repealed)

Code Code-Description

New Patient

99201 Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: a problem-focused history, a problem-focused examination, and straight forward medical decision making. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family needs. Usually, the presenting problem(s) are self-limited or minor. Physicians typically spend 10 minutes face-to-face with the patient and/or family.

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## Section 140.890 TABLE K (continued)

99202 Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: an expanded problem-focused history, an expanded problem-focused examination, and straight forward medical decision making. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's need. Usually, the presenting problem(s) are of low to moderate severity. Physicians typically spend 20 minutes face-to-face with the patient and/or family.

99203 Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: a detailed history, a detailed examination, and medical decision making of low complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's need. Usually, the presenting problem(s) are of moderate severity. Physicians typically spend 30 minutes face-to-face with the patient and/or family.

99204 Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: a comprehensive history, a comprehensive examination, and a medical decision making of moderate complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 45 minutes face-to-face with the patient and/or family.

99205 Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: a comprehensive history, a comprehensive examination, and medical decision making of high complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's need. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 60 minutes face-to-face with the patient and/or family.

## Established Patient

99211 Office or other outpatient visit for the evaluation and management of an established patient, that may not require the presence of a physician. Usually, the presenting problem(s) are



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## Section 140. TABLE K (continued)

minimal.---Typically, 5 minutes are spent performing or supervising these services.

99212 Office or other outpatient visit for the evaluation and management of an established patient, which requires at least two of these three key components: a problem-focused history, a problem-focused examination, and straight-forward medical decision making.---Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs.---Usually, the presenting problem(s) are self-limited or minor.---Physicians typically spend 10 minutes face-to-face with the patient and/or family.

99213 Office or other outpatient visit for the evaluation and management of an established patient, which requires at least two of these three key components: an expanded problem-focused history, an expanded problem-focused examination, and medical decision making of low complexity.---Counseling and/or coordination of care are provided consistent with the nature of the problem(s) and the patient's and/or family's needs.---Usually, the presenting problem(s) are of low to moderate severity. Physician's typically spend 15 minutes face-to-face with the patient and/or family.

99214 Office or other outpatient visit for the evaluation and management of an established patient, which requires at least two of these three key components: a detailed history, a detailed examination, and medical decision making of moderate complexity.---Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs.---Usually, the presenting problem(s) are of moderate to high severity. Physician's typically spend 25 minutes face-to-face with the patient and/or family.

99215 Office or other outpatient visit for the evaluation and management of an established patient, which requires at least two of these three key components: a comprehensive history, a comprehensive examination, and medical decision making of high complexity.---Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs.---Usually, the presenting problem(s) are of moderate to high severity. Physician's typically spend 40 minutes face-to-face with the patient and/or family.

## General-Ophthalmological-Services

## New-Patient

A-patient-who-is-new-to-the-physician-whose-medical-and-administrative-records-needs-to-be-established.

- 92002 Ophthalmological-services, medical-examination-and-evaluation-with-initiation-of-diagnostic-and-treatment-program-intermediate-new-patient
- 92004 comprehensive-new-patient, one-or-more-visits

## Established-Patient

A-patient-whose-medical-and-administrative-records-are-available-to-the-physician.---The-designation-of-new-or-established-patient-does-not-preclude-the-use-of-a-specific-level-of-service.

- 92012 Ophthalmological-services, medical-examination-and-evaluation-with-initiation-or-continuation-of-diagnostic-and-treatment-program-intermediate-established-patient
- 92014 comprehensive-established-patient, one-or-more-visits

## Home-Medical-Services

## New-Patient

Home-visit-for-the-evaluation-and-management-of-a-new-patient, which-requires-these-three-components: a-problem-focused history, a-problem-focused-examination, and-medical-decision-making-that-is-straightforward-or-of-low-complexity.---Counseling-and/or-coordination-of-care-with-other-providers-or-agencies-are-provided-consistent-with-the-nature-of-the-problem(s)-and-the-patient's-and/or-family's-needs.---Usually, the-presenting problem(s)-are-of-low-severity.

99343

Home-visit-for-the-evaluation-and-management-of-a-new-patient, which-requires-these-three-key-components: an-expanded-problem-focused-examination, and medical-decision-making-of-moderate-complexity.---Counseling-and/or-coordination-of-care-with-other-providers-or-agencies-are-provided-consistent-with-the-nature-of-the-problem(s)-and-the-patient's-and/or-family's-needs.---Usually, the-presenting problem(s)-are-of-moderate-severity.

99343

Home-visit-for-the-evaluation-and-management-of-a-new-patient, which-requires-these-three-key-components: a-detailed-history, a-detailed-examination, and-medical-decision-making-of-high-complexity.---Counseling-and/or-coordination-of-care-with-other-

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## Section 140. TABLE K (continued)

## New-Patient

A-patient-who-is-new-to-the-physician-whose-medical-and-administrative-records-needs-to-be-established.

- 92002 Ophthalmological-services, medical-examination-and-evaluation-with-initiation-of-diagnostic-and-treatment-program-intermediate-new-patient
- 92004 comprehensive-new-patient, one-or-more-visits

## Established-Patient

A-patient-whose-medical-and-administrative-records-are-available-to-the-physician.---The-designation-of-new-or-established-patient-does-not-preclude-the-use-of-a-specific-level-of-service.

- 92012 Ophthalmological-services, medical-examination-and-evaluation-with-initiation-or-continuation-of-diagnostic-and-treatment-program-intermediate-established-patient
- 92014 comprehensive-established-patient, one-or-more-visits

## Home-Medical-Services

## New-Patient

Home-visit-for-the-evaluation-and-management-of-a-new-patient, which-requires-these-three-components: a-problem-focused history, a-problem-focused-examination, and-medical-decision-making-that-is-straightforward-or-of-low-complexity.---Counseling-and/or-coordination-of-care-with-other-providers-or-agencies-are-provided-consistent-with-the-nature-of-the-problem(s)-and-the-patient's-and/or-family's-needs.---Usually, the-presenting problem(s)-are-of-low-severity.

99343

Home-visit-for-the-evaluation-and-management-of-a-new-patient, which-requires-these-three-key-components: an-expanded-problem-focused-examination, and medical-decision-making-of-moderate-complexity.---Counseling-and/or-coordination-of-care-with-other-providers-or-agencies-are-provided-consistent-with-the-nature-of-the-problem(s)-and-the-patient's-and/or-family's-needs.---Usually, the-presenting problem(s)-are-of-moderate-severity.

99343

Home-visit-for-the-evaluation-and-management-of-a-new-patient, which-requires-these-three-key-components: a-detailed-history, a-detailed-examination, and-medical-decision-making-of-high-complexity.---Counseling-and/or-coordination-of-care-with-other-

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## Section 140. TABLE K (continued)

providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of high severity.

## Established Patient

90351 Home visit for the evaluation and management of an established patient, which requires at least two of these three key components: a problem-focused interval history; a problem focused examination; and medical decision making that is straightforward or of low complexity. --- Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. --- Usually, the patient is stable, recovering or improving.

90352 Home visit for the evaluation and management of an established patient, which requires at least two of these three key components: an expanded problem-focused interval history; an expanded problem-focused examination; and medical decision making of moderate complexity. --- Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. --- Usually, the patient is responding inadequately to therapy or has developed a minor complication.

90353 Home visit for the evaluation and management of an established patient, which requires at least two of these three key components: a detailed interval history; a detailed examination; medical decision making of high complexity. --- Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. --- Usually, the patient is unstable or has developed a significant complication or a significant new problem.

## Diagnostic Procedures

81000 Urinalysis - routine (ph-specific gravity, protein, tests for reducing substances, such as glucose), with microscopy

81002 Urinalysis - routine without microscopy

81005 Chemical qualitative - any number of constituents

82465 Cholesterol - serum - total

82470 Cholesterol - serum - total and ester

82645 Lead Screening - Blood

84702 Gonadotropin - chorionic quantitative pregnancy test

84703 Gonadotropin - chorionic qualitative pregnancy test

85660 Stickle of RBC - reduction slide method

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## NOTICE OF PROPOSED AMENDMENTS

## Section 140. TABLE K (continued)

86580 Tuberculosis-intraderma

86585 TB-Tine-Test

86592 Syphilis-Test-qualitative

87081 GC-Culture-Test-bacterial-screening-only

87083 Culture-multiple-organisms

87087 Urine-bacteria-count-commercial-kit

87088 Urine-bacteria-culture-identification-in-addition-to-count-and-commercial-kit

87110 Chlamydia-Culture

W7430 Denver-DST

## SCREENINGS (Rates Effective March 1, 1991)

## Health Screening

Code	Description	Rate
1)	Birth-to-02-weeks	11)
2)	02-weeks-to-01-month	12)
3)	01-to-02-months	13)
4)	02-to-04-months	14)
5)	04-to-06-months	15)
6)	06-to-09-months	16)
7)	09-to-12-months	17)
8)	12-to-15-months	18)
9)	15-to-18-months	19)
10)	18-to-24-months	20)
		21)

\*OBRA '89 requires states to pay for screening services at intervals in addition to those identified in the basic periodicity schedule. Medical/developmental screening, vision/hearing, and/or dental screening services may be provided at such other intervals indicated as medically necessary to determine the existence of physical or mental illnesses or conditions. --- Interperiodic screening examinations may occur even in the case of children whose physical, mental, or developmental illnesses or conditions have already been diagnosed. --- If there are indications that the illness or condition may have become more severe, or has changed sufficiently that further examination is medically necessary.

\*\*Make-up Visit may be billed when diagnostic procedures or immunizations are provided at a separate visit from the periodic health screening.



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NOTICE OF PROPOSED AMENDMENTS

Section 140. TABLE K (continued)

W7584 Measles-Rubella  
W7585 Haemophilus-B-(Hib)

Immunisations are replaced by the Illinois Department of Public Health (IDPH) based on paid claims. Providers are encouraged to participate in the replacement program. To receive replacement vaccine, providers must have a signed certification form on file with the Illinois Department of Public Health.

Health Insurance Claim Form (DPA-2360)-enter X in 23A-EPBDT  
Yes-when using above codes.

Code Code-Description

Allergy-Testing

95000 Percutaneous test (scratch, puncture, prick) with allergenic extracts, up to 30 tests  
95001 31-60 tests  
95002 61-90 tests  
95003 more than 90 tests  
95005 Percutaneous tests (scratch, puncture, prick) with biologicalextacting insects, 1-5 tests  
95006 6-10 tests  
95007 11-15 tests  
9501X more than 15 tests  
95014 Intracutaneous (intradermal) tests with antibiotics, biologicals, stinging insects, immediate reaction 15-20 minutes, 1-5 tests  
95016 6-10 tests  
95017 11-15 tests  
95018X more than 15 tests  
95020 Intracutaneous (intradermal) tests with allergen extracts, immediate reaction 15-20 minutes, up to 10 tests  
95021 11-20 tests  
95022 21-30 tests  
95023 more than 30 tests  
95020 Intracutaneous (intradermal) tests with allergen extracts, delayed reaction 24 to 72 hours, including reading, 2 tests  
95021 2-4 tests  
95022 5-6 tests  
95023 7-8 tests  
95024 more than 8 tests  
95040 Patch or application tests, up to 10 tests  
95041 11-20 tests  
95042 21-30 tests

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 140. TABLE K (continued)

Vision-Screening

Beginning at age three (03) through twenty (20) years, the Department will pay for one vision screening performed by a qualified provider per year for an eligible child. However, the Department will pay for other such screenings when medically necessary, regardless of child's age or medical history.

Code Description Rate  
W7087 Vision-Screening \$-7.00

Hearing-Screening

Beginning at age one (01) year for children at high risk for hearing problems and age three (03) years for all other children, the Department will pay for one hearing screening performed by a qualified provider per year for an eligible child. However, the Department will pay for other such screenings when medically necessary, regardless of a child's age or medical history.

Code Description Rate  
W7020 Hearing-Screening \$-7.00

Immunizations

W7402 Diphtheria, Tetanus, Pertussis (DPT-1)  
W7404 DPT-2  
W7402 DPT-3  
W7405 DPT-B1  
W7406 DPT-B2  
W7407 Polio-Virus, Live-Oral (OPV-1)  
W7408 OPV-2  
W7409 OPV-3  
W7410 OPV-B1  
W7411 OPV-B2  
W7412 DT-1  
W7413 DT-2  
W7414 DT-3  
W7415 DT-Boosters-1  
W7416 DT-Boosters-2  
W7418 Measles  
W7581 Rubella  
W7582 Mumps  
W7583 MMR

## DEPARTMENT OF PUBLIC AID

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## Section 140. TABLE K (continued)

95043 more than 30 tests  
 95050 Photo patch tests, up to 10 tests  
 95051 more than 10 tests

## Allergy-Immunotherapy

95115 Professional services for allergen immunotherapy not including provision of allergenic extracts, single injection multiple injections  
 95117  
 95120 Professional services for allergen immunotherapy in prescribing physician's office or institution, including provision of allergenic extract, single antigen  
 95125 multiple antigens (specify number of injections)

Code Code-Description

## Psychiatric-Procedures

90801 Psychiatric diagnosis-interview-examination-including-history-mental-status-or-disposition-(may-include-communication-with-family-or-other-sources,-ordering-and-medical-interpretation-of laboratory-or-other-medical-diagnostic-studies)-in-certain circumstances,-other-informants-will-be-seen-in-lieu-of-the patient,-50-minutes-minimum  
 90835 Narcosynthesis-for-psychiatric-diagnostic-and-therapeutic purposes,-e.g.,-amyl-interview,  
 W7460 Psychiatric-Consultation---includes-psychiatric-history,-mental status,-diagnosis,-conference-with-primary-physician,-50-minutes minimum  
 90843 Individual-medical-psychotherapy,-with-continuing-medical diagnostic-evaluation,-and-drug-management-when-indicated, including psychoanalysis,-insight-oriented,-behavior-modifying or-supportive-psychotherapy,-20-minutes-minimum  
 90844 Individual-medical-psychotherapy,-with-continuing-medical diagnostic-evaluation,-and-drug-management-when-indicated, including psychoanalysis,-insight-oriented,-behavior-modifying or-supportive-psychotherapy,-45-minutes-minimum  
 90847 Family-medical-psychotherapy-(conjoint-psychotherapy)-with continuing medical diagnostic-evaluation,-and-drug-management when-indicated,-45-minutes-minimum  
 90849 Multiple-family-group-medical-psychotherapy,-with-continuing medical diagnostic-evaluation,-and-drug-management-when indicated,-45-minutes-minimum  
 W7464 Basic-daily-inpatient-psychiatric-care,-time-unspecified,-  
 90853 Group-medical-psychotherapy-(other-than-of-a-multiple-family group)-with-continuing-medical-diagnostic-evaluation,-and-drug-

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 140. TABLE K (continued)

management-when-indicated,-60-minutes-minimum,-maximum-8-persons  
 90862 Chemotherapy-management,-including-prescription,-use-and-review of-medication-with-no-more-than-minimum-medical-psychotherapy,  
 90870 Electroconvulsive-therapy.

## Function-Tests-(Audiological-With-Medical-Diagnostic-Evaluation)

92551 Screening-test,-pure-tone,-air-only  
 92552 Pure-tone-audiometry-(threshold)-air-only  
 92553 air-and-bone  
 92555 Speech-audiometry,-threshold-only  
 92557 Basic-comprehensive-audiometry-(pure-tone,-air-and-bone,-and speech,-threshold-and-discrimination)

Code Code-Description

## Other-Services

W7454 Family-Planning-Visit  
 59420 Prenatal-visit  
 59430 Postpartum-care  
 82270 Blood,-occult,-feeces,-screening  
 90702 Diphtheria-and-tetanus-toxoids-(adult)  
 90724 Influenza-virus-vaccine  
 94642 Prophylaxis-for-pneumocystis-carinii-pneumonia

(Source: Repealed at 18 Ill. Reg. \_\_\_, effective \_\_\_\_\_)

## Section 140. Table L Services Qualifying for 10% Add-On to Surgical Incentive Add-On (Repealed)

The surgical-incentive-add-on-is-described-in-the-Physician's-Handbook, Appendix-A-25,-Groups-I,-II-and-III,-A-10%-incentive-will-be-computed-on-the surgical-incentive-add-on-amount.

Code Code-Description

## Group-I

11100 Biopsy-of-skin,-subcutaneous-tissue-and/or-mucous-membrane (including-simple-closure)-unless-otherwise-listed-(separate procedure)-one-lesion  
 11200 Excision-including-simple-closure-of-ligature-strangulation, skin-tags,-multiple-fibrous-tumors,-any-area,-up-to-15



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 140. TABLE L (continued)  
Group I (continued)

Code-	Code-Description
11400	Excision, benign lesion, except skin tag (unless listed elsewhere), trunk, arms or legs, lesion diameter up to 0.5-em
11401	lesion diameter 0.5 to 1.0-em
11402	lesion diameter 1.1 to 2.0-em
11403	lesion diameter 2.1 to 3.0-em
11404	lesion diameter 3.1 to 4.0-em
11406	lesion diameter over 4.0-em
11420	Excision, benign lesion, except skin tag (unless listed elsewhere), scalp, neck, hands, feet, genitalia, lesion diameter up to 0.5-em
11421	lesion diameter 0.6 to 1.0-em
11422	lesion diameter 1.1 to 2.0-em
11423	lesion diameter 2.1 to 3.0-em
11424	lesion diameter 3.1 to 4.0-em
11426	lesion diameter over 4.0-em
11440	Excision, other benign lesion (unless listed elsewhere), face, ears, eyelids, nose, lips, mucous membranes, lesion diameter up to 0.5-em
11441	lesion diameter 0.6 to 1.0-em
11442	lesion diameter 1.1 to 2.0-em
11443	lesion diameter 2.1 to 3.0-em
11444	lesion diameter 3.1 to 4.0-em
11446	lesion diameter over 4.0-em
11600	Excision, malignant lesion, trunk, arms or legs, lesion diameter up to 0.5-em
11601	lesion diameter 0.6 to 1.0-em
11602	lesion diameter 1.1 to 2.0-em
11603	lesion diameter 2.1 to 3.0-em
11604	lesion diameter 3.1 to 4.0-em
11606	lesion diameter over 4.0-em
11620	Excision, malignant lesion, scalp, neck, hands, feet, genitalia, lesion diameter up to 0.5-em
11621	lesion diameter 0.6 to 1.0-em
11622	lesion diameter 1.1 to 2.0-em
11623	lesion diameter 2.1 to 3.0-em
11624	lesion diameter 3.1 to 4.0-em
11626	lesion diameter over 4.0-em
11640	Excision, malignant lesion, face, ears, eyelids, nose, lips, lesion diameter up to 0.5-em
11641	lesion diameter 0.6 to 1.0-em
11642	lesion diameter 1.1 to 2.0-em
11643	lesion diameter 2.1 to 3.0-em
11644	lesion diameter 3.1 to 4.0-em

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## NOTICE OF PROPOSED AMENDMENTS

Section 140. TABLE L (continued)  
Group I (continued)

Code-	Code-Description
11646	lesion diameter over 4.0-em
11730	Avulsion of nail plate, partial or complete, simple, single
11760	Reconstruction of nail bed, simple
11762	reconstruction of nail bed with graft
11900	Injection, intraleisional, up to and including seven lesions
12001	Simple repair of superficial wounds of scalp, neck, axillae, external genitalia, trunk and/or extremities (including hands and feet), up to 2.5-em
12002	2.6-em to 7.5-em
12004	7.6-em to 12.5-em
12005	12.6-em to 20.0-em
12006	20.1-em to 30.0-em
12011	Simple repair of superficial wounds of face, ears, eyelids, nose, lips and/or mucous membranes, up to 2.5-em
12013	2.6-em to 5.0-em
12014	5.1-em to 7.5-em
12015	7.6-em to 12.5-em
12016	12.6-em to 20.0-em
12017	20.1-em to 30.0-em
12020	Treatment of superficial wound dehiscence, simple closure
12021	with packing
12031	Layer closure of wounds of scalp, axillae, trunk and/or extremities (excluding hands and feet), up to 2.5-em
12032	2.6-em to 7.5-em
12034	7.6-em to 12.5-em
12035	12.6-em to 20.0-em
12036	20.1-em to 30.0-em
12041	Layer closure of wounds of neck, hands, feet and/or external genitalia, up to 2.5-em
12042	2.6-em to 7.5-em
12044	7.6-em to 12.5-em
12045	12.6-em to 20.0-em
12046	20.1-em to 30.0-em
12051	Layer closure of wounds of face, ears, eyelids, nose, lips and/or mucous membranes, up to 2.5-em
12052	2.6-em to 5.0-em
12053	5.1-em to 7.5-em
12054	7.6-em to 12.5-em
12055	12.6-em to 20.0-em
12056	20.1-em to 30.0-em
16020	Initial treatment, first degree burn, when no more than local treatment is required without anesthesia, office or hospital

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 140. TABLE L (continued)  
Group I (continued)

Code-	Code-Description
20000	Incision-of-soft-tissue-abscess-(e.g., secondary-to osteomyelitis)-superficial
20005	deep-or-complicated
20200	Biopsy-muscle-superficial
20205	deep
20206	Biopsy-muscle-percutaneous-needle
20520	Removal-of-foreign-body-in-muscle-or-tendon-sheath-simple
20600	Arthrocentesis-aspiration-and/or-injection-small-joint-bursa or-ganglion-cyst-(e.g., fingers-toes)
20605	intermediate-joint-bursa-or-ganglion-cyst-(e.g., temporomandibular-acromioclavicular-wrist-elbow-or ankle-elbow-hip)
20610	major-joint-or-bursa-(e.g., shoulder-hip-knee-joint, subacromial-bursa)
21501	Incision-and-drainage-deep-abscess-or-hematoma-soft-tissues-of neck-or-thorax
21550	Excisional-biopsy-soft-tissue-of-neck-or-thorax
21555	Excision-tumor-soft-tissue-of-neck-or-thorax-subcutaneous
21920	Biopsy-soft-tissues-of-back-or-flank-superficial
21925	deep
23030	Incision-and-drainage-deep-abscess-or-hematoma
23031	infected-bursa
23065	Biopsy-soft-tissues-of-shoulder-area-superficial
23066	deep
23320	Removal-of-foreign-body-shoulder-subcutaneous
23330	Incision-and-drainage-upper-arm-or-elbow-area-deep-abscess-or hematoma
23931	infected-bursa
24065	Biopsy-soft-tissue-of-upper-arm-or-elbow-superficial
24066	deep
25028	Incision-and-drainage-forearm-and/or-wrist-deep-abscess-or hematoma
25031	infected-bursa
25065	Biopsy-soft-tissue-of-forearm-and/or-wrist-superficial
25066	deep
26990	Incision-and-drainage-pelvis-or-hip-joint-area-deep-abscess-or hematoma
26991	infected-bursa
27040	Biopsy-soft-tissue-of-pelvis-and-hip-area-superficial
27041	deep
27086	Removal-of-foreign-body-pelvis-or-hip-subcutaneous-tissue
27087	deep
27323	Biopsy-soft-tissue-of-thigh-or-knee-area-superficial

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 140. TABLE L (continued)  
Group I (continued)

Code-	Code-Description
27324	deep
27603	Incision-and-drainage-leg-or-ankle-deep-abscess-or-hematoma infected-bursa
27604	Biopsy-soft-tissue-of-leg-or-ankle-area-superficial
27613	deep
27614	Incision-and-drainage-infected-bursa-foot
28001	Remove-foreign-body-foot-subcutaneous
28190	deep
28192	Cast-band-and-lower-forearm-gauntlet
28085	Application-of-long-arm-splint-(shoulder-to-hand)
29105	Application-of-short-arm-splint-(forearm-to-hand)-static dynamic
29125	Application-of-finger-splint-static
29126	dynamic
29130	Application-of-elbow-foot-cast-with-moldings-or-manipulation-long or-short-leg-unilateral
29131	dynamic
29450	Application-of-long-leg-splint-(thigh-to-ankle-or-toes)
29505	Application-of-short-leg-splint-(calf-to-foot)
29515	Drainage-abscess-or-hematoma-nasal-internal-approach
30000	Drainage-abscess-or-hematoma-nasal-septum
30020	Biopsy-intranasal
30100	Excision-nasal polyp(s)-simply-unilateral
30110	bilateral
30124	Excision-dermoid-cyst-nose-simpler-skin-subcutaneous
30903	Control-nasal-hemorrhage-anterior-complex-(anterior-with local-anesthesia-and-packing)-unilateral
30904	bilateral
30905	Control-nasal-hemorrhage-posterior-with-posterior-nasal-packs-intranasal
30906	subsequent
31515	Laryngoscopy-direct-for-aspiration
31525	diagnostic-except-newborn
31526	diagnostic-with-operating-microscope
31527	with-insertion-of-obturator
31528	with-dilatation-initial
31529	with-dilatation-subsequent
36470	Injection-of-sclerosing-solution-single-vein
36471	multiple-veins-same-leg
38300	Drainage-of-lymph-node-abscess-or-lymphadenitis-simple extensive
38305	Biopsy-of-excision-of-lymph-node(s)-superficial-(separate procedure)
38505	by-needle-superficial-(e.g., cervical-lingual-anal)



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 140. TABLE L (continued)  
Group I (continued)

Code-	Code-Description
40490	Biopsy, lip
40490	Drainage-of-abscess, eye, hematoma, vestibule-of-mouth, simple
40494	Removal-of-embedded-foreign-body, vestibule-of-mouth, simple
40496	Incision-of-labial-frenum-(frenotomy)
40498	Biopsy, vestibule-of-mouth
40498	Excision-of-lesion-of-mucosa-and-submucosa, vestibule-of-mouth, without-repair
40498	With-simple-repair
40498	Destruction-of-lesion-of-scar-by-physical-methods-(e.g., laser, thermal, cryo, chemical)
40498	Closure-of-laceration, vestibule-of-mouth, 2.5-cm-or-less
40498	Over-2.5-cm-or-complex
41000	Intraoral-incision-and-drainage-of-abscess, cyst, or-hematoma-of-tongue-or-floor-of-mouth, lingual
41005	Sublingual, superficial
41007	Submental
41008	Submandibular
41010	Incision-of-lingual-frenum-(frenotomy)
41015	Incision-and-drainage-of-extraoral-abscess, cyst, or-hematoma-of-floor-of-mouth, sublingual
41016	Submental
41017	Submandibular
41100	Biopsy-tongue, anterior-two-thirds
41105	Posterior-one-third
41108	Biopsy-of-floor-of-mouth
41110	Excision-of-lesion-of-tongue-without-closure
41400	Drainage-abscess, eye, hematoma-from-dentoalveolar-structures
41405	Removal-of-embedded-foreign-body, from-dentoalveolar-structure soft-tissues
42000	Drainage-of-abscess-of-palate-uvula
42160	Destruction-of-lesion, palate-or-uvula-(thermal, cryo-or-chemical)
42200	Drainage-of-abscess, parotid, simple
42210	Drainage-abscess, submandibular-of-sublingual-intraoral
42220	Submandibular, external
42400	Biopsy-salivary-gland, needle
42650	Dilation-salivary-duct
42660	Dilation-and-catheterization-of-salivary-duct, with-or-without injection
43760	Change-of-gastrostomy-tube
45300	Proctosigmoidoscopy, diagnostic (separate-procedure)
45302	For-collection-of-specimen-by-brushing-or-washing
45303	For-dilation, direct, instrumental

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 140. TABLE L (continued)  
Group I (continued)

Code-	Code-Description
45305	For-biopsy
45307	For-removal-of-foreign-body
45310	For-removal-of-polyp-or-papilloma
45315	For-removal-of-multiple-excrecences, papillomata-or-polyps
45317	For-control-of-hemorrhage-(e.g., electrocoagulation, laser photocoagulation)
45321	For-decompression-of-vulva
46082	Incision-of-thrombosed-hemorrhoid, external
46210	Cryptectomy, single
46211	Multiple (separate-procedure)
46220	Papillectomy-or-excision-of-single-tab, anus (separate-procedure)
46221	Hemorrhoidectomy, by-simple-ligature-(e.g., rubber-band)
46230	Excision-of-external-hemorrhoid-tabs-and/or-multiple-papillae
46320	Enucleation-or-excision-of-external-thrombotic-hemorrhoid
46500	Injection-of-sclerosing-solution, hemorrhoids
46600	Anoscopy, diagnostic (separate-procedure)
46602	For-collection-of-specimen-by-brushing-or-washing
46604	For-dilation, direct, instrumental
46606	For-biopsy
46608	For-removal-of-foreign-body
46610	For-removal-of-polyp
46612	For-multiple-polyp-removal
46614	With-coagulation-for-control-of-hemorrhage-and/or fulguration-of-mucosal-lesion
46900	Destruction-of-lesion(s), anus-(e.g., condyloma, papilloma, molluscum-contagiosum, herpetic-vesicle)-simple, chemical electrodesiccation
46910	For-removal-of-foreign-body
46922	For-removal-of-foreign-body
46924	For-removal-of-foreign-body
46940	For-removal-of-foreign-body
46942	For-removal-of-foreign-body
46945	For-removal-of-foreign-body
50684	For-removal-of-foreign-body
50690	For-removal-of-foreign-body
51600	For-removal-of-foreign-body
51605	For-removal-of-foreign-body

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 140. TABLE L (continued)  
Group I (continued)

Code-	Code-Description
51610	Injection procedure for retrograde urethrocytography
51700	Bladder irrigation, simple, lavage and/or instillation
51705	Change of cystostomy tube, simple
51710	complicated
51720	Bladder instillation of antiscarcinogenic agent
53020	Meatotomy, cutting of meatus (separate procedure), except infant
53025	infant
53040	Drainage of deep perineal abscess
53060	Drainage of Skene's gland abscess or cyst
53080	Drainage of perineal urinary extravasation, uncomplicated
	(separate procedure)
53200	Biopsy of urethra
54000	Sitting of prepucial, dorsal or lateral (separate procedure), newborn
54001	except newborn
54015	Incision and drainage of penis, deep
54050	Destruction of lesion(s), penis (e.g., condyloma, papilloma, molluscum contagiosum, herpetic vesicle), simple, chemical electrodesiccation
54055	
54056	cryosurgery
54057	laser surgery
54060	surgical excision
54100	Biopsy of penis, cutaneous (separate procedure)
54105	deep structures
54500	Biopsy of testis, needle (separate procedure)
54505	Biopsy of testis, incisional (separate procedure), unilateral
54506	bilateral
54700	Incision and drainage of epididymis, testis and/or scrotal space (e.g., abscess or hematoma)
55000	Puncture aspiration of hydrocele, tunica vaginalis, with or without injection of medication
55100	Drainage of scrotal wall abscess
55120	Removal of foreign body in scrotum
55700	Biopsy, prostatic, needle or punch, single or multiple, any approach
56000	Incision and drainage of perineal abscess (nonobstetrical)
56100	Biopsy of perineum (separate procedure)
56400	Incision and drainage, abscess of vulva, extensive
56420	Incision and drainage of Bartholin's gland abscess, unilateral
56501	Destruction of lesion(s), vulva, simple or any method
56515	extensive, any method
56600	Biopsy of vulva
56700	Hymenectomy, partial excision of hymen

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 140. TABLE L (continued)  
Group I (continued)

Code-	Code-Description
56720	Hymenectomy, simple incision
57030	Celapointecis (separate procedure)
57061	Destruction of vaginal lesion(s), simple any method
57065	extensive, any method
57100	Biopsy of vaginal mucosa, simple (separate procedure)
57105	extensive, requiring suture (including cysts)
57135	Excision of vaginal cyst or tumor
57180	Excision of any hemostatic agent or pack for spontaneous or traumatic hemorrhage nonobstetrical vaginal hemorrhage (separate procedure)
57500	Biopsy, single or multiple, of local excision of lesion, with or without fuigation (separate procedure)
60000	Incision and drainage of thyroglossal cyst, infected
60100	Biopsy of thyroid, percutaneous needle
65270	Repair of laceration, conjunctiva, with or without nonperforating laceration sclera, direct closure
65272	conjunctiva, by mobilization and rearrangement, without hospitalization
65410	Biopsy of cornea
65420	Scraping of cornea, diagnostic, for smear and/or culture
67415	Transconjunctival or aspirational biopsy
67800	Excision of chalazion, single
67801	multiple, same lid
67805	multiple, different lids
67810	Biopsy of eyelid
67840	Excision of lesion of eyelid (except chalazion), without closure or with simple direct closure
67930	Suture of recent wound, eyelid, involving lid margin, tarsus and/or palpebral conjunctiva, direct closure, partial thickness full thickness
67935	Removal of embedded foreign body, eyelid
68038	Incision of conjunctiva, drainage of cyst
68040	Expression of conjunctiva follicles, e.g., for trachoma
68100	Biopsy of conjunctiva
68400	Incision, drainage of lacrimal gland
68430	Incision, drainage of lacrimal sac (dacryocystectomy or dacryocystostomy)
68440	Snip incision of lacrimal punctum
68510	Biopsy of lacrimal gland
68525	Biopsy of lacrimal sac
68530	Removal of foreign body or dacryolith, lacrimal passages
69000	Drainage, external ear, abscess or hematoma, simple
69005	complicated



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 140. TABLE L (continued)  
Group I (continued)

Code-	Code-Description
69030	Drainage-external-auditory-canal,-abscess
69100	Biopsy-external-ear
69105	Biopsy-external-auditory-canal
69430	Myringotomy-including-aspiration-and/or-eustachian-tube-inflation
69540	Excision-aural-polyip
69550	Excision-aural-glomus-tumor,-transcanal
<b>Group-II</b>	
11750	Excision-of-nail-and-nail-matrix,-partial-or-complete-(e.g., ingrown-or-deformed-nail)-for-permanent-removal†
11762	with-amputation-of-tuft-of-distal-phalanx
11770	Excision-of-pilonidal-eyelet-or-sinus,-simple-burns,-local treatment-dressings-and/or-debridement,-initial-or-subsequent,- without-anesthesia,-medium-(e.g.,-whole-face-or-whole extremity†)
16035	without-anesthesia,-large-(e.g.,-more-than-one-extremity†)
16030	Escharotomy
16035	Excision-of-ganglion,-wrist-(dorsal-or-ventral)-,-primary recurrent
25111	Excision-of-lesion-of-tendon-sheath-of-carpus-(e.g.,-cyst-of-ganglion)-,-hand-or-finger
25112	Excision-of-lesion-of-tendon-of-fibrous-sheath-of-carpus (including-synovectomy-cyst-of-ganglion)-,-foot toes
26160	Excision-of-lesion-of-tendon-sheath-of-carpus-(e.g.,-cyst-of-ganglion)-,-hand-or-finger
28090	Excision-of-lesion-of-tendon-of-fibrous-sheath-of-carpus (including-synovectomy-cyst-of-ganglion)-,-foot toes
28092	NOTE:-When-the-cast-application-or-strapping-is-a-replacement-procedure used-during-or-after-the-period-of-follow-up-care,-the-following-cast procedures-are-eligible-for-the-add-on.
29049	Application,-plaster-figure-of-eight
29055	Shoulder-opica
29058	Plaster-Velpeau
29065	Shoulder-to-hand-(long-arm)
29075	Elbow-to-finger-(short-arm)
29345	Application-of-long-leg-cast-(thigh-to-toes)†
29355	walker-or-ambulatory-type
29368	Application-of-long-leg-cast-brace
29365	Application-of-cylindrical-cast-(thigh-to-ankle)
29405	Application-of-short-leg-cast-(below-knee-to-toes)†
29425	walking-or-ambulatory-type
29426	Application-of-patellar-tendon-bearing-(PTB)-cast

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 140. TABLE L (continued)  
Group II (continued)

Code-	Code-Description
29455	Application-of-clubfoot-cast-with-molding-or-manipulation†-long or-short-leg,-bilateral
31530	Laryngoscopy,-direct,-operative-with-foreign-body-removal† with-operating-microscope
31531	Laryngoscopy,-direct,-operative-with-biopsy†
31535	with-operating-microscope
31536	Laryngoscopy,-direct,-operative-with-emission-of-tumor-and/or stripping-of-voice-cords-or-epiglottis†
31540	with-operating-microscope
31541	Laryngoscopy,-direct,-operative-with-arytenoidectomy†
31560	with-operating-microscope
31561	Laryngoscopy,-direct,-with-injection-into-voice-cord(s)-, therapeutic†
31570	with-operating-microscope
31571	Laryngoscopy,-flexible-fiberoptic,-diagnostic
31575	with-biopsy
31576	with-removal-of-foreign-body
31577	with-removal-of-tissue
31578	Surgical-closure-tracheostomy-of-fistula-without-plastic-repairs
31820	Therapeutic,-puncture-of-pneumal-cavity-for-aspiration, initial-or-subsequent
32000	Biopsy,-pleural-percutaneous-needle
32400	Biopsy,-lung-or-mediastinum,-percutaneous-needle
32405	Pneumonocentesis,-puncture-of-lung-for-aspiration
32420	Excision-of-lesion-of-mucosa,-submucosa,-and-underlying-muscle, vestibule-of-mouth,-compleon
40816	Repair-laceration-wp-to-2.5-cm-or-less-floor-of-mouth-and/or anterior-two-thirds-of-tongue
41250	posterior-one-third-tongue
41251	Repair-laceration-of-tongue-floor-of-mouth,-over-2.6-cm-or-compleon
41252	Biopsy-of-palato,-uvula
42100	Excision,-lesion-of-palato,-uvula-without-closure
42104	Stomatotomy,-submandibular-(submanillary)-,-sublingual-of-parotid,-uncomplicated,-,-intracanal
42230	Biopsy-salivary-gland-intracanal
42405	Excision-sublingual-salivary-cyst-(ranula)
42408	Marcupial-lesion-sublingual-salivary-cyst-(ranula)
42409	Incision-and-drainage-abscess-peritoneal
42700	Biopsy,-oropharynx
42800	hypopharynx
42802	naso-pharynx,-visible-lesion-simple
42804	

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 140.TABLE L (continued)  
Group II (continued)

Code-	Code-Description
42806	nasopharynx,-survey-for-unknown-primary-lesion
42808	Excision-of-lesion-of-pharynx
42809	Removal-of-foreign-body-from-pharynx
42860	Excision-of-tongue-tag
42870	Excision-lingual-tonsil-(separate-procedure)
42880	Excision-nasopharyngeal-lesion-(e.g.,-fibroma)
42900	Suture-pharynx-for-wound-or-injury
42960	Control-oropharyngeal-hemorrhage-(primary-or-secondary,-e.g.,-posttonsillectomy)-simple
42970	Control-of-nasopharyngeal-hemorrhage-(primary-or-secondary,-e.g.,-postadenoidectomy)-simple,-with-posterior-nasal-packs-with-or-without-antefix-packs-and/or-cauterization
45005	Incision-and-drainage-of-submucous-abscess,-rectum
45320	Sigmoidoscopy,-flexible-fiberoptic,-diagnostic
45331	for-biopsy-and/or-collection-of-specimen-by-brushing-or-washing
45332	for-removal-of-foreign-body
45333	for-removal-of-polypoid-lesion(s)
45334	for-control-of-hemorrhage-(e.g.,-electrocoagulation,-laser-photocoagulation)
45337	for-decompression-of-ovulus
46030	Removal-of-seton-other-marker
46050	Incision-and-drainage-perianal-abscess,-superficial
46050	Hemorrhoidectomy,-external,-complete
46250	Destruction-of-lesion(s)-anus-(e.g.,-condyloma,-papilloma,-molluscum-contagiosum,-herpetic-vesicle)
46900	cryosurgery
46916	laser-surgery
46917	laser-surgery
46934	external
46935	internal-and-external
46936	Cryosurgery-of-rectal-tumor,-benign
46937	malignant
46938	Peritoneocentesis,-abdominal-paracentesis-of-peritoneal-lavage,-initial
46980	subsequent
49081	Manometric-studies-through-nephrostomy-of-pyelotomy-tube-or-indwelling-ureteral-catheter
50396	Change-of-nephrostomy-or-pyelotomy-tube
50398	Manometric-studies-through-ureterostomy-or-indwelling-ureteral-catheter
50688	Change-of-ureterostomy-tube
52250	Excision-of-bulbourethral-gland-(Cowper's-gland)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 140.TABLE L (continued)  
Group II (continued)

Code-	Code-Description
53260	Excision-of-fulguration,-urethral-polyp(s)-distal-urethra
53265	urethral-earbuncle
53270	Skene's-glands
53275	urethral-prolapse
54065	Destruction-of-lesion(s)-penis-(e.g.,-condyloma,-papilloma,-molluscum-contagiosum,-herpetic-vesicle)-extensive,-any-method
54152	Circumcision,-clamp-procedure,-except-newborn
54161	Circumcision,-surgical-excision-other-than-clamp-or-dorsal-slit,-except-newborn
56515	Destruction-of-lesion(s)-vulva,-extensive,-any-method
57300	Cervicophary,-suture-of-injury-of-vagina(nonobstetrical)
57410	Cervicopharyncerthaphy,-suture-of-injury-of-vagina-and/or-perineum-(nonobstetrical)
57454	Colposcopy-(vaginoscopy)-(separate-procedure)-with-biopsies,-or-biopsy-of-the-cervix
58100	Endometrial-biopsy,-suction-type-(separate-procedure)
58102	Office-endometrial-curettage
58103	Menstrual-Extraction
59000	Amniocentesis-for-diagnosis,-abdominal-approach
59010	Amnioscopy
59011	Amnioscopy-(intraovular)
64774	Excision-of-neuroma,-cutaneous-nerve,-surgically-identifiable
64786	Excision-of-neurofibroma-or-neurolipoma,-cutaneous-nerve
67350	Biopsy-of-extraocular-muscle
69433	Tympanostomy-(requiring-insertion-of-ventilating-tube)-local-or-topical-anesthesia,-unilateral
69434	bilateral
Group-III	
31615	Tracheobronchoscopy-through-established-tracheostomy-incision
31622	Bronchoscopy,-diagnostic-(flexible-or-rigid)-with-or-without-cell-washing-or-brushing
31625	with-biopsy
31635	with-removal-of-foreign-body
31645	with-therapeutic-aspiration-of-tracheobronchial-tree,-initial
31646	with-therapeutic-aspiration-of-tracheobronchial-tree,-subsequent
43200	Esophagoscopy,-rigid-or-flexible-fiberoptic-(specify)-diagnostic-procedure
43202	for-biopsy-and/or-collection-of-specimen-by-brushing-or-washing



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 140.TABLE L (continued)  
Group III (continued)

Code-	Code-Description
43215	for-removal-of-foreign-body
43217	Esophagoscopy-rigid-or-flexible-fiberscopic-for-removal-of polypoid-lesion(s)
43219	for-insertion-of-plastic-tube-or-stent
43220	for-dilation-direct-any-method
43226	for-insertion-of-wire-to-guide-dilation
43227	for-control-of-hemorrhage-(e.g.,-electrocoagulation,-laser photocoagulation)
43228	for-ablation-of-tumor-or-mucosal-lesion
43234	Upper-gastrointestinal-endoscopy,-simple-primary-examination (e.g.,-with-small-diameter-flexible-fiberscope)
43235	Upper-gastrointestinal-endoscopy-including-esophagus,-stomach, and-either-the-duodenum-and/or-jejunum-as-appropriate-complex diagnostic
43239	for-biopsy-and/or-collection-of-specimen-by-brushing-or washing
43241	with-transendoscopic-tube-or-catheter-placement
43245	for-dilation-of-gastro-outlet-for-obstruction
43246	for-directed-placement-of-percutaneous-gastrostomy-tube
43247	for-removal-of-foreign-body
43251	for-removal-of-polypoid-lesion(s)
43255	for-control-of-hemorrhage-(e.g.,-electrocoagulation,-laser photocoagulation)
43258	for-ablation-of-tumor-or-mucosal-lesion-(e.g.,-electrocoagulation,-laser photocoagulation,-hot biopsy,fulguration)
43260	Endoscopic-retrograde-cholangiopancreatography-(ERCP),-with-or without-biopsy-and/or-collection-of-specimen
43262	for-sphincterotomy/papillectomy
43263	for-pressure-measurement-of-sphincter-of-Oddi
43264	for-removal-of-stone(s)-from-biliary-and/or-pancreatic-duets
43267	for-insertion-of-nasobiliary-or-nasopancreatic-drainage tube-(when-done-with-sphincterotomy,-also-use-43262)
43268	for-insertion-of-tube-or-stent-into-bile-or-pancreatic-duet (when-done-with-sphincterotomy,-also-use-43262)
43271	for-balloon-dilation-of-ampulla-biliary-or-pancreatic-duet
43272	for-ablation-of-tumor-or-mucosal-lesion-(e.g.,-laser,-hot biopsy,fulguration)
43260	Small-intestinal-endoscopy,-enteroscopy-beyond-second-portion-of duodenum--diagnostic
43261	for-biopsy-and/or-collection-of-specimen-by-brushing-or washing
43262	for-removal-of-foreign-body

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 140.TABLE L (continued)  
Group III (continued)

Code-	Code-Description
44364	for-removal-of-polypoid-lesion(s)
44366	for-control-of-hemorrhage-(e.g.,-electrocoagulation,-laser photocoagulation)
44369	for-ablation-of-tumor-or-mucosal-lesion-(e.g.,-laser)
44380	Fiberoptic-ileoscopy-through-stoma
44382	with-biopsy-and/or-collection-of-specimen-by-brushing-or washing
44385	Fiberoptic-evaluation-of-small-intestinal-(Kock)-or-pelvic-pouch
44386	for-biopsy-and/or-collection-of-specimen-by-brushing-or washing
44388	Fiberoptic-colonoscopy-through-rectostomy
44389	for-biopsy-and/or-collection-of-specimen-by-brushing-or washing
44390	for-removal-of-foreign-body
44391	for-control-of-hemorrhage-(e.g.,-electrocoagulation,-laser photocoagulation)
44392	for-removal-of-polypoid-lesion(s)
44393	for-ablation-of-tumor-or-mucosal-lesion-(e.g.,-laser)
45320	Proctosigmoidoscopy-for-ablation-of-tumor-(e.g.,-electrocoagulation,-photocoagulation,-hot biopsy,fulguration)
45326	Sigmoidoscopy,-flexible-fiberscopic-diagnostic-for-ablation-of tumor-or-mucosal-lesion-(e.g.,-laser)
45355	Colonoscopy,-with-standard-sigmoidoscope,-transabdominal-via celiotomy,-single-or-multiple
45378	Colonoscopy,-fiberoptic,-beyond-splenic-flexure--diagnostic procedure
45379	for-removal-of-foreign-body
45380	for-biopsy-and/or-collection-of-specimen-by-brushing-or washing
45382	for-control-of-hemorrhage-(e.g.,-electrocoagulation,-laser photocoagulation)
45383	for-ablation-of-tumor-or-mucosal-lesion-(e.g.,-laser)
45385	for-removal-of-polypoid-lesion(s)
50551	Renal-endoscopy-through-established-nephrostomy-or-pyelostomy, with-or-without-irrigation,-insufflation,-or-ureteropyelography, exclusive-of-radiologic-service
50552	with-ureteral-catheterization,-with-or-without-dilation-of ureter
50555	with-biopsy
50557	with-fulguration,-and/or-incision-with-or-without-biopsy
50559	with-insertion-of-radioactive-substance-with-or-without biopsy-and/or-fulguration
50561	with-removal-of-foreign-body-or-catheter

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 140. TABLE L (continued)  
Group III (continued)

Code-	Code-Description
50951	Ureteral-endscopy through-established-ureterostomy,-with-or without-irrigation-institution-of-ureteropyelography,-exclusive-of-radiologic-service, with-ureteral-catheterization
50952	with-biopsy
50955	with-fulguration,-with-or-without-biopsy
50957	with-insertion-of-radioactive-substance-with-or-without biopsy-and/or-fulguration-(not-including-provision-of material)
50959	with-removal-of-foreign-body-of-calculus
50961	Cystourethroscopy-(separate-procedure)
52000	Cystourethroscopy-with-ureteral-catheterization,-with-or-without irrigation,-institution,-or-ureteropyelography,-exclusive-of radiologic-service
52005	with-brush-biopsy-of-ureter-and/or-renal-pelvis
52007	Cystourethroscopy-with-ejectulatory-duet-catheterization-with-or without-irrigation,-institution,-or-duet-radiography,-exclusive of radiologic-service
52010	Cystourethroscopy,-with-fulguration-(including-eryosurgery-or laser-surgery)-of-trigone,-bladder-neck,-prostatic-fossa, urethra-or-periurethral-glands
52024	Cystourethroscopy,-with-fulguration-(including-eryosurgery-or laser-surgery)-or-treatment-of-MINOR-(less-than-0.5-cm) lesion(s),-with-or-without-biopsy
52250	Cystourethroscopy-with-insertion-of-radioactive-substance,-with or-without-biopsy-or-fulguration
52265	Cystourethroscopy,-with-dilatation-of-bladder-for-interstitial cystitis,-local-anesthesia
52281	Cystourethroscopy,-with-calibration-and/or-dilatation-of-urethral stricture-or-stenosis,-with-or-without-meatotomy-and-injection procedure-for-cystography,-male-or-female
52310	Cystourethroscopy,-with-removal-of-foreign-body-calculus-or ureteral-stent-from-urethra-or-bladder-(separate-procedure),-simple complicated
52315	Litholapaxy,-crushing-or-fragmentation-of-calculus-by-any-means in-bladder-and-removal-of-fragments,-simple,-small-(less-than 2.5-cm)
52318	complicated-or-large-(over-2.5-cm)
52320	Cystourethroscopy-(including-ureteral-catheterization),-with removal-of-ureteral-calculus
52320	with-manipulation,-without-removal-of-ureteral-calculus

Section 140. TABLE L (continued)  
Group III (continued)

Code-	Code-Description
52335	Cystourethroscopy,-with-ureteroscopy-and/or-pyeloscopy-includes dilatation-of-the-ureter-by-any-method
52336	with-removal-or-manipulation-of-calculus-(ureteral catheterization-is-included)
52338	with-biopsy-and/or-fulguration-of-lesion
55200	Vasotomy,-cannulation-with-or-without-incision-of-vas, unilateral-or-bilateral-(separate-procedure)
55250	Vasectomy,-unilateral-or-bilateral-(separate-procedure), including-pestoperative-semen-examination(s)
55450	Ligation-(percutaneous)-of-vas-deferens,-unilateral-or-bilateral (separate-procedure)

(Source: Repealed at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Refugee/Entrant/Repatriate Program

2) Code Citation: 89 Ill. Adm. Code 115

3) Section Numbers: Proposed Action:

115.10	Amendment
115.30	Amendment
115.40	Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 12-13)[305 ILCS 5/12-13]

5) Complete Description of the Subjects and Issues Involved: The Department administers the Refugee Resettlement Program (RRP), the Cuban/Haitian Entrant (Status Pending) Program (CHEP) and the Repatriate Program in Illinois. The Refugee Resettlement Program provides for the authorization of financial and medical assistance for eligible needy refugees from any nation and for certain Amerasian immigrants from Vietnam and their close family members as determined by the Immigration and Naturalization Service. The Cuban/Haitian Entrant (Status Pending) Program (CHEP) provides for the authorization of financial and medical assistance for eligible needy Cuban and Haitian entrants (Status Pending) including applicants for asylum and parolees issued documentation on or after April 21, 1980.

These programs are fully funded by grants provided by the federal government. The administration and authorization of assistance under any of these programs is limited to a period of time established by the federal government based on available federally appropriated funds for the year. The administration and authorization of assistance under any of these programs ceases if the Department is not authorized to request and receive federal funds for the purpose of providing assistance under these programs. Federal regulations dated December 8, 1993, changed the methodology to be used to determine the duration of eligibility for the Refugee Resettlement Program. In accordance, these proposed amendments change the Department's rules regarding the methodology to be used to determine the time-eligibility of refugees.

As a result of these proposed amendments, RRP assistance will be limited to a period of time established by the federal government based on available federally appropriated funds for the year. The period of time will begin with the first month the refugee enters the United States. Individuals who have lived in the United States more than the established period of time may be eligible for State Family and Children Assistance or Transitional Assistance. In addition, CHEP assistance will be limited to a period of time established by the federal government based on available

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

federally appropriated funds for the year. The period of time will begin with the date the entrant is granted parole or is otherwise issued documentation by the Immigration and Naturalization Service. Cuban/Haitian Entrants or applicants for asylum who have been admitted or paroled into the United States more than the established period of time may also be eligible for State Family and Children Assistance or Transitional Assistance.

6) Will these proposed amendments replace emergency amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Judy Umunna, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave. E., 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days after the publication of this notice.

12) Initial Regulatory Flexibility Analysis:

A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable

B) Types of small businesses affected: None

C) Reporting, bookkeeping or other procedures required for compliance: None

D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
 CHAPTER I: DEPARTMENT OF PUBLIC AID  
 SUBCHAPTER b: ASSISTANCE PROGRAMS  
 PART 115  
 REFUGEE/ENTRANT/REPATRIATE PROGRAM

Section	
115.1	Incorporation By Reference
115.10	General Provisions
115.20	The Cuban Phasedown Program (Repealed)
115.30	The Refugee Resettlement Program
115.32	Refugee Resettlement Program: Application for Assistance
115.33	Refugee Resettlement Program: Furnishing of Social Security Numbers
115.34	Refugee Resettlement Program: Work Registration/Participation Requirements
115.36	Refugee Resettlement Program: Individuals Exempt From Mandatory Work Registration/Participation Requirements
115.37	Refugee Resettlement Program: Counseling (Repealed)
115.38	Refugee Resettlement Program: Sanctions for Failure to Cooperate With Work Requirements
115.39	Refugee Resettlement Program: Good Cause For Failure to Cooperate
115.40	The Cuban/Haitian/Entrant (Status Pending) Program
115.50	The Repatriate Program
115.60	Special Provisions Relating to Parolees

AUTHORITY: Implementing and authorized by Sections 12-4.5, 12-4.6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. ~~1987~~ 1991, ch. 23, pars. 12-4.5, 12-4.6 and 12-13).

SOURCE: Filed and effective December 30, 1977; emergency amendment at 2 Ill. Reg. 28, p. 2, effective June 1, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 48, p. 60, effective November 25, 1978; amended at 5 Ill. Reg. 2786, effective March 3, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 6 Ill. Reg. 11921, effective September 21, 1982; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 16109, effective November 22, 1983; amended at 8 Ill. Reg. 6804, effective May 3, 1984; amended at 9 Ill. Reg. 2296, effective February 5, 1985; amended at 13 Ill. Reg. 3932, effective March 10, 1989; amended at 13 Ill. Reg. 13631, effective August 14, 1989; amended at 14 Ill. Reg. 773, effective January 1, 1990; amended at 14 Ill. Reg. 10438, effective June 20, 1990; amended at 16 Ill. Reg. 10291, effective June 19, 1992; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 115.10 General Provisions

- a) The Department administers the Refugee Resettlement Program (RRP), the Cuban/Haitian Entrant (Status Pending) Program (CHEP), and the Repatriate Program in Illinois. These programs are fully funded by grants provided by the federal government. The administration and authorization of assistance under any of these programs is limited to a period of time established by the federal government based on available federally appropriated funds for the year. The administration and authorization of assistance under any of these programs ceases if the Department is not authorized to request and receive federal funds for the purpose of providing assistance under these programs.
- b) For the Refugee Resettlement Program and the Cuban/Haitian Entrant (Status Pending) Program, assistance shall be authorized on the basis of the Aid to Families with Dependent Children (AFDC) Payment Level. The following case compositions define the level of issuance:
- 1) Single Adult (age 18 or older).
  - 2) Family cases must include at least one eligible child. Only the following adults may be included:
    - A) A specified relative of the child and the spouse of the specified relative; or
    - B) The legal guardian of child and the spouse of the legal guardian; or
    - C) The unrelated caretaker of a child and the spouse of the unrelated caretaker.
  - c) Resources to be considered in all situations are those immediately available for use at the time financial assistance is needed. Available resources are to be considered when they are in existence, the value is ascertainable, they are under the control of the recipient, and can be drawn upon for maintenance.
  - d) For the Refugee Resettlement Program assistance may not ordinarily be furnished for more than ~~eight-(8)-months~~ the established period of time after the date of entry. The Cuban/Haitian Entrant (Status Pending) Program is limited to ~~eight-(8)-months~~ the established period of time after the specific date.
  - e) The following provisions are applicable to the RRP and CHEP programs:



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 115.10(e) (continued)

- 1) To be eligible for RRP and CHEP, a family or individual(s) must be ineligible for categorical assistance (AFDC, Aid to the Aged, Blind or Disabled (AABD), and related Medical Assistance No Grant (MANG) programs);
- 2) The individuals must avail themselves of all potential resources including application for and acceptance of Supplemental Security Income (SSI) and categorical assistance; and
- 3) The following provisions of the AFDC program (See 89 Ill. Adm. Code 112) are applicable to the RRP:
  - A) Client and Department rights and responsibilities. Refugees or parolees who are potentially eligible for SSI must apply for SSI.
  - B) Application for assistance (not eligible for \$100 compensatory payment or Presumptive Eligibility (PE) authorization). All refugees over 18 years of age must sign the application.
  - C) Citizenship.
  - D) Residence. Temporary absence from the home does not apply to RRP.
  - E) Client Cooperation.
  - F) Furnishing of Social Security Numbers
  - G) Registration/Participation requirements.
  - H) Assets.
  - I) Income. All non-exempt income, including income from the Voluntary Sponsoring Agency (VOLAG) must be budgeted. The earned income exemption (\$30 + 1/3 does not apply).
  - J) Support from responsible relatives (Non-Title IV-D (42 U.S.C. 651 et seq.) provisions).
  - K) Personal Injury.
  - L) Other financial benefits (i.e., the child care for work and training and other benefits described in 89 Ill. Adm. Code 112.308).

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 115.10(e)(3) (continued)

- M) Standards:  
For a single adult case, the following payment levels apply:
  - i) Group I Counties  
\$212.00 monthly
  - ii) Group II Counties  
\$204.00 monthly
  - iii) Group III Counties  
\$173.00 monthly
- N) Special authorizations.
- O) Medical Assistance standard (use the MANG(C) standard if Medical Assistance only is authorized; for a household of one, the Medical-Only Standard is \$283/month).
- P) Redetermination of Eligibility:
  - i) Monthly reporting does not apply to RRP.
  - ii) Refugee recipients are not included in central redeterminations.
  - iii) The Department must contact the VOLAG (See Section 115.32 for information to request).
- Q) Case Records.
- R) Medical Services.
- S) Funeral and Burials.
- T) Incorrect Payments.
- U) Special Projects.
- V) Crisis Assistance Programs (i.e., the Hardship Program, the Special Assistance Program and the Emergency Assistance Program described in 89 Ill. Adm. Code 116).
- W) Replacement of lost or stolen warrants.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 115.10(e) (continued)

4) In family cases, the parent (or other responsible person making application) is to be designated as the payee. In adult cases, the recipient is to be the payee.

f) Individuals receiving assistance under these three programs are eligible to participate in the food stamp program if they meet the eligibility requirements of the Food Stamp Program.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 115.30 The Refugee Resettlement Program

a) The Refugee Resettlement Program (RRP) provides for the authorization of assistance (financial and medical) for eligible needy refugees from any nation and for certain Amerasian immigrants from Vietnam (and their close family members) as determined by the Immigration and Naturalization Service.

b) In order to be eligible to be included in a Refugee Resettlement assistance unit, an individual must be a refugee, admitted into the United States (U.S.) as a refugee, or be an Amerasian born in Vietnam between January 1, 1962, and January 1, 1976, (or a close family member of such an Amerasian) and admitted to the United States (U.S.) as an immigrant under the Orderly Departure Program (P.L. 96-212) on March 20, 1988.

c) Assistance is limited to a period of time established by the federal government based on available federally appropriated funds for the year. The period of time begins with the first month the refugee entered the United States. Individuals may be eligible for refugee assistance for eight (8) months from the date of entry into the United States. Individuals who have lived in the U.S. more than eight (8) months the established period of time may be eligible for State Family and Children Assistance or Transitional Assistance.

d) A child born to refugee parents may be included in the assistance unit even though the child was born in the U.S., as long as both parents are refugees.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 115.40 The Cuban/Haitian/Entrant (Status Pending) Program

a) The Cuban/Haitian Entrant (Status Pending) Program (CHEP) provides for the authorization of assistance (financial and medical) for eligible needy Cuban and Haitian entrants (Status Pending) including applicants for asylum and parolees issued documentation on or after April 21, 1980.

b) Assistance is limited to a period of time established by the federal government based on available federally appropriated funds for the year. The period of time begins with the date the entrant is granted parole or is otherwise issued documentation by the Immigration and Naturalization Service. Assistance is limited to eight (8) months from the date the entrant is granted parole or is otherwise issued documentation by the Immigration and Naturalization Service. Cuban/Haitian Entrants or applicants for asylum who have been admitted or paroled into the United States more than eight (8) months the established period of time may be eligible for State Family and Children Assistance or Transitional Assistance.

c) A child born to Cuban or Haitian entrant parents may be included in the assistance unit even though the child was born in the U.S., as long as both parents are Cuban or Haitian entrants.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED RULES

1) Heading of the Part:

Breast and Cervical Cancer Research Fund Rules

2) Code Citation:

77 Ill. Adm. Code 970

3) Section Numbers:

Proposed Action:

970.10	New Section
970.20	New Section
970.30	New Section
970.40	New Section
970.50	New Section
970.60	New Section
970.70	New Section
970.80	New Section
970.90	New Section
970.100	New Section
970.110	New Section

4) Statutory Authority:

Implementing and authorized by Section 55.70 of the Civil Administrative Code of Illinois [20 ILCS 2310/55.70], as amended by Public Act 88-85, effective July 14, 1994.

5) A Complete Description of the Subjects and Issues Involved:

These rules codify the procedures and criteria for the awarding of research grants to physicians, hospitals, laboratories, educational institutions, and other organizations and persons to conduct research on breast and cervical cancer. The research monies would be distributed through a Request for Proposal Process. A peer review committee, whose members demonstrate and are acknowledged to have expertise in areas dealing with breast and cervical cancer research, would be responsible for reviewing the applications and providing assessments of the individual applications to an advisory committee. The Advisory Committee would then make recommendations to the Director regarding the awarding of the research grants.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?Yes ☒ No ☐7) Does this Rulemaking Contain an Automatic Repeal Date? Yes ☐ No ☒

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED RULES

If "yes," please specify the date: \_\_\_\_\_

8) Does this Rulemaking Contain Any Incorporations By Reference?Yes ☐ No ☒If "yes," please specify type: 6.02(a) ☐ or 6.02(b) ☐9) Are there any other Proposed Amendments Pending on this Part?Yes ☐ No ☒If Yes:

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
------------------------	------------------------	---------------------------

10) Statement of Statewide Policy Objectives:

This rulemaking will not require expenditures on the part of local governments.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761, within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules should indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

B) Type of Small Businesses Affected:

physicians, laboratories, and other persons or organizations conducting research on breast

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED RULES

and cervical cancer.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:  
preparation of detailed budget for funding period and progress reports.

D) Types of Professional Skills Necessary for Compliance:  
knowledge of research project.

The full text of the Proposed Rules is identical to Emergency Rules that appear in this issue of the Illinois Register on page 9549.

## DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Narrative and Planning Policies

2) Code Citation:

77 Ill. Adm. Code 1100

3) Section Numbers: Adopted Action:

1100.750

New Section

4) Statutory Authority:

Illinois Health Facilities Planning Act  
Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1151 et seq.  
20 ILCS 3960

5) A Complete Description of the Subjects and Issues Involved:

This rulemaking creates a need methodology for use in allocating the need for programs under the Postsurgical Recovery Care Center Alternative Care Models. Centers of this type were established as test models under the Alternative Health Care Delivery Act.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes \_\_\_ No X

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes \_\_\_ No X

If "yes," please specify the date: \_\_\_\_\_

8) Does this Rulemaking Contain any Incorporations by Reference? Yes \_\_\_ No X

9) Are there any Other Proposed Amendments pending on this Part? Yes \_\_\_ No X

10) Statement of Statewide Policy Objectives:

Establish a process for the selection and review of applications for Postsurgical Recovery Care Center Alternative Health Care Models as required under the Alternative Health Care Delivery Act. These regulations will not impact on local governments.



DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER II: DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES  
PLANNING BOARD

SUBCHAPTER a: ILLINOIS HEALTH CARE FACILITIES PLAN

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 3.01 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

B) Type of Small Businesses Affected:

None

C) Reporting, Bookkeeping or other Procedures Required for Compliance:

None

D) Types of Professional Skills Necessary for Compliance:

None

The full text of the Proposed Amendments begins on the next page:

PART 1100

NARRATIVE AND PLANNING POLICIES

SUBPART A: GENERAL NARRATIVE

Section	Introduction
1100.10	Authority
1100.20	Purpose
1100.30	Health Maintenance Organizations (Repealed)
1100.40	Subchapter Organization
1100.50	Mandatory Reporting of Data
1100.60	Data Appendices
1100.70	Institutional Master Plan Hospitals (Repealed)
1100.80	Public Hearings
1100.90	

SUBPART B: GENERAL DEFINITIONS

Section	Introduction
1100.210	Definitions
1100.220	

SUBPART C: PLANNING POLICIES

Section	Need Assessment
1100.310	Staffing
1100.320	Professional Education
1100.330	Public Testimony
1100.340	Multi-Institutional Systems
1100.350	Modern Facilities
1100.360	Occupancy/Utilization Standards
1100.370	Systems Planning
1100.380	Quality
1100.390	Location
1100.400	Needed Facilities
1100.410	Discontinuation
1100.420	Coordination with Other State Agencies
1100.430	

## DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

## NOTICE OF PROPOSED AMENDMENTS

## SUBPART D: NEED FORMULAS/UTILIZATION TARGETS

Section	
1100.510	Introduction, Formula Components and Planning Area Development
1100.520	Medical-Surgical/Pediatric Categories of Service
1100.530	Obstetric Category of Service
1100.540	Intensive Care Category of Service
1100.550	Comprehensive Physical Rehabilitation Category of Service
1100.560	Acute Mental Illness Categories of Service
1100.570	Substance Abuse Category of Service
1100.580	Neonatal Intensive Care Category of Service
1100.590	Burn Category of Service
1100.600	Therapeutic Radiology Equipment
1100.610	Open Heart Surgery Category of Service
1100.620	Cardiac Catheterization Services
1100.630	Chronic Renal Dialysis Category of Service
1100.640	Non-Hospital Based Ambulatory Surgery
1100.650	Computer Systems (Repealed)
1100.660	General Long-Term Care Category of Service
1100.670	Specialized Long-Term Care Categories of Service
1100.680	Magnetic Resonance
1100.690	High Linear Energy Transfer (L.E.T.)
1100.700	Positron Emission Tomographic Scanning (P.E.T.)
1100.710	Extracorporeal Shock Wave Lithotripsy
1100.720	Selected Organ Transplantation
1100.730	Kidney Transplantation
1100.740	Subacute Care Hospital Model
1100.750	Postsurgical Recovery Care Center Alternative Health Care Model

APPENDIX A Applicable Codes and Standards Utilized in 77 Ill. Adm. Code:  
Chapter II, Subchapter a

**AUTHORITY:** Implementing and authorized by the Illinois Health Facilities Planning Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1151 et seq.) [20 ILCS 3960/1 et seq.].

**SOURCE:** Fourth Edition adopted at 3 Ill. Reg. 30, p. 194, effective July 28, 1979; amended at 4 Ill. Reg., p. 129, effective January 11, 1980; amended at 5 Ill. Reg. 4895, effective April 22, 1981; amended at 5 Ill. Reg. 10297, effective September 30, 1981; amended at 6 Ill. Reg. 3079, effective March 8, 1982; emergency amendments at 6 Ill. Reg. 6895, effective May 20, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 11574, effective September 9, 1982; Fifth Edition adopted at 7 Ill. Reg. 5441, effective April 15, 1983; amended at 8 Ill. Reg. 1633, effective January 31, 1984; codified at 8 Ill. Reg. 15476; amended at 9 Ill. Reg. 3344; effective March 6, 1985; amended at 11 Ill. Reg. 7311, effective April 1, 1987; amended at 12 Ill. Reg. 16079, effective September 21, 1988; amended at 13 Ill. Reg. 16055, effective September 29, 1989; amended at 16 Ill. Reg. 16074, effective October 2, 1992; amended

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at 18 Ill. Reg. 2986, effective February 10, 1994; amended at 18 Ill. Reg. 8448, effective July 1, 1994; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 1100.750 Postsurgical Recovery Care Center Alternative Health Care Model

## a) Planning Areas:

- 1) the City of Chicago.
- 2) Cook County outside the City of Chicago.
- 3) Kane, Lake, and McHenry Counties.
- 4) Municipalities with a population greater than 50,000 not located in the areas described in subsections (a) (1), (2), and (3) of this Section. Municipalities means geographic areas designated as Metropolitan Statistical Area by the Bureau of the Census.
- 5) Rural areas, i.e., all areas exclusive of subsections (a) (1), (2), (3), and (4) of this Section.

## b) Age Groups:

All ages

## c) Development Restrictions:

- 1) NO PROPOSED POSTSURGICAL RECOVERY CARE CENTER ALTERNATIVE HEALTH CARE MODEL SHALL BE LOCATED IN COUNTIES WITH POPULATIONS GREATER THAN 600,000 BUT LESS THAN 1,000,000. (Section 30 of the Alternative Health Care Delivery Act: [210 ILCS 3/30])

- 2) A PROPOSED POSTSURGICAL RECOVERY CARE CENTER ALTERNATIVE HEALTH CARE MODEL MUST BE OWNED OR OPERATED BY A HOSPITAL IF IT IS TO BE LOCATED WITHIN, OR WILL PRIMARILY SERVE THE RESIDENTS OF, A HEALTH SERVICE AREA (See Section 1100.220 for definition of Health Service Area) IN WHICH MORE THAN 60% OF THE GROSS PATIENT REVENUE OF THE HOSPITALS WITHIN THAT HEALTH SERVICE AREA ARE DERIVED FROM MEDICARE AND MEDICAID, ACCORDING TO THE MOST RECENTLY AVAILABLE CALENDAR YEAR DATA FROM THE ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL. (Section 30 of the Alternative Health Care Delivery Act: [210 ILCS 3/30]). All Health Service Areas exceed this standard.



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4) TWO IN MUNICIPALITIES WITH A POPULATION OF 50,000 OR MORE NOT IN Subsections (a) (1), (2) OR (3) of this Section; ONE OF WHICH MUST BE LOCATED IN A FREESTANDING AMBULATORY SURGICAL TREATMENT CENTER FACILITY.

5) TWO IN RURAL AREAS, BOTH OF WHICH SHALL BE OWNED OR OPERATED BY HOSPITALS. (Section 30 of the Alternative Health Care Delivery Act: [210 ILCS 3/30])

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

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3) Restrictions delineated above shall not PRECLUDE A HOSPITAL AND AN AMBULATORY SURGICAL TREATMENT CENTER FROM FORMING A JOINT VENTURE OR DEVELOPING A COLLABORATIVE AGREEMENT TO OWN OR OPERATE A POSTSURGICAL RECOVERY CARE CENTER. (Section 30 of the Alternative Health Care Delivery Act: [210 ILCS 3/30])

4) An applicant proposing to locate a postsurgical recovery care center within or attached to an existing Ambulatory Surgical Treatment Center or Hospital must document that the facility HAS BEEN LICENSED AS AN AMBULATORY SURGICAL TREATMENT CENTER OR HOSPITAL FOR AT LEAST TWO YEARS BEFORE August 20, 1993. (Section 35 of the Alternative Health Care Delivery Act: [210 ILCS 3/30])

d) Bed Capacity:

A POSTSURGICAL RECOVERY CARE CENTER SHALL BE NO LARGER THAN 20 BEDS. (Section 35 of the Alternative Health Care Delivery Act: [210 ILCS 3/30])  
In freestanding ambulatory surgical treatment centers the approved bed capacity of the project shall apply and all beds shall be inventoried as a separate category of service. In hospital based models all beds shall continue to be inventoried as shown prior to the model.

e) Occupancy Targets:

All beds utilized for patient care should have an occupancy exceeding 80%.

f) Need Determination:

THERE SHALL BE NO MORE THAN A TOTAL OF EIGHT POSTSURGICAL RECOVERY CARE CENTER ALTERNATIVE HEALTH CARE MODELS IN THE DEMONSTRATION PROGRAM, LOCATED AS FOLLOWS:

- 1) ONE IN THE CITY OF CHICAGO.
- 2) ONE IN COOK COUNTY OUTSIDE THE CITY OF CHICAGO.
- 3) TWO IN KANE, LAKE AND MCHENRY COUNTIES; ONE OF WHICH MUST BE LOCATED IN A FREESTANDING AMBULATORY SURGICAL TREATMENT CENTER FACILITY.

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1) Heading of the Part: Processing, Classification Policies and Review Criteria

2) Code Citation:

77 Ill. Adm. Code 1110

3) Section Numbers:

1110.2610  
1110.2620  
1110.2630  
1110.2640  
1110.2650

Adopted Action:

New Section  
New Section  
New Section  
New Section  
New Section

4) Statutory Authority:

Illinois Health Facilities Planning Act  
Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1151 et seq.  
20 ILCS 3960

5) A Complete Description of the Subjects and Issues Involved:

This rulemaking creates review criteria, definitions and procedural steps required of an applicant seeking to be designated as a post surgical recovery care center model. Centers of this type were established as test models under the Alternative Health Care Delivery Act.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes \_\_\_ No X

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes \_\_\_ No X

If "yes," please specify the date: \_\_\_\_\_

8) Does this Rulemaking Contain any Incorporations by Reference? Yes \_\_\_ No X

9) Are there any Other Proposed Amendments pending on this Part? Yes \_\_\_ No X

10) Statement of Statewide Policy Objectives:

Establish a process for the selection and review of applications for Postsurgical Recovery Care Center Alternative Health Care Models as required under the Alternative Health Care Delivery Act. These regulations will not impact on local governments.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 3.01 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

B) Type of Small Businesses Affected:

None

C) Reporting, Bookkeeping or other Procedures Required for Compliance:

None

D) Types of Professional Skills Necessary for Compliance:

None

The full text of the Proposed Amendments begins on the next page:



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## NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH  
 CHAPTER II: DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES  
 PLANNING BOARD  
 SUBCHAPTER a: ILLINOIS HEALTH CARE FACILITIES PLAN

## PART 1110

## PROCESSING, CLASSIFICATION POLICIES AND REVIEW CRITERIA

## SUBPART A: GENERAL APPLICABILITY AND PROJECT CLASSIFICATION

Section	
1110.10	Introduction to Part 1110
1110.20	Projects Required to Obtain a Permit (Repealed)
1110.30	Processing and Reviewing Applications
1110.40	Classification of Projects
1110.50	Recognition of Services Which Existed Prior to Permit Requirements
1110.55	Recognition of Non-Hospital Based Ambulatory Surgery Category of Service
1110.60	Master Design Projects

## SUBPART B: REVIEW CRITERIA-DISCONTINUATION

Section	
1110.110	Introduction
1110.120	Discontinuation-Definition
1110.130	Discontinuation-Review Criteria

## SUBPART C: GENERAL REVIEW CRITERIA APPLICABLE TO ALL PROJECTS OTHER THAN DISCONTINUATION

Section	
1110.210	Introduction
1110.220	Definitions-General Review Criteria
1110.230	General Review Criteria
1110.235	Additional General Review Criteria
1110.240	Mergers, Consolidations and Acquisitions

SUBPART D: REVIEW CRITERIA RELATED TO ALL PROJECTS INVOLVING  
 ESTABLISHMENT OF ADDITIONAL BEDS OR SUBSTANTIAL CHANGE  
 IN BED CAPACITY

Section	
1110.310	Introduction
1110.320	Bed Related Review Criteria

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## SUBPART E: MODERNIZATION REVIEW CRITERIA

Section	
1110.410	Introduction
1110.420	Modernization Review Criteria

SUBPART F: CATEGORY OF SERVICE REVIEW CRITERIA-  
 MEDICAL/SURGICAL, OBSTETRIC, PEDIATRIC AND INTENSIVE CARE

Section	
1110.510	Introduction
1110.520	Medical/Surgical, Obstetric, Pediatric and Intensive Care-Definitions
1110.530	Medical/Surgical, Obstetric, Pediatric and Intensive Care-Review Criteria

SUBPART G: CATEGORY OF SERVICE REVIEW CRITERIA-COMPREHENSIVE  
 PHYSICAL REHABILITATION

Section	
1110.610	Introduction
1110.620	Comprehensive Physical Rehabilitation-Definitions
1110.630	Comprehensive Physical Rehabilitation-Review Criteria

## SUBPART H: CATEGORY OF SERVICE REVIEW CRITERIA-ACUTE MENTAL ILLNESS

Section	
1110.710	Introduction
1110.720	Acute Mental Illness-Definitions
1110.730	Acute Mental Illness-Review Criteria

## SUBPART I: CATEGORY OF SERVICE REVIEW CRITERIA-SUBSTANCE ABUSE

Section	
1110.810	Introduction
1110.820	Substance Abuse-Definitions
1110.830	Substance Abuse-Review Criteria

SUBPART J: CATEGORY OF SERVICE REVIEW CRITERIA-  
 NEONATAL INTENSIVE CARE

Section	
1110.910	Introduction
1110.920	Neonatal Intensive Care-Definitions
1110.930	Neonatal Intensive Care-Review Criteria

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## SUBPART K: CATEGORY OF SERVICE REVIEW CRITERIA-BURN TREATMENT

## Section

1110.1010 Introduction

1110.1020 Burn-Definitions

1110.1030 Burn Treatment-Review Criteria

## SUBPART L: CATEGORY OF SERVICE REVIEW CRITERIA-THERAPEUTIC RADIOLOGY

## Section

1110.1110 Introduction

1110.1120 Therapeutic Radiology-Definitions

1110.1130 Therapeutic Radiology-Review Criteria

## SUBPART M: CATEGORY OF SERVICE REVIEW CRITERIA-OPEN HEART SURGERY

## Section

1110.1210 Introduction

1110.1220 Open Heart Surgery-Definitions

1110.1230 Open Heart Surgery-Review Criteria

## SUBPART N: CATEGORY OF SERVICE REVIEW CRITERIA-CARDIAC CATHETERIZATION

## Section

1110.1310 Introduction

1110.1320 Cardiac Catheterization-Definitions

1110.1330 Cardiac Catheterization-Review Criteria

## SUBPART O: CATEGORY OF SERVICE REVIEW CRITERIA-CHRONIC RENAL DIALYSIS

## Section

1110.1410 Introduction

1110.1420 Chronic Renal Dialysis-Definitions

1110.1430 Chronic Renal Dialysis-Review Criteria

## SUBPART P: CATEGORY OF SERVICE REVIEW CRITERIA-NON-HOSPITAL BASED AMBULATORY SURGERY

## Section

1110.1510 Introduction

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1110.1520 Non-Hospital Based Ambulatory Surgery-Definitions  
 1110.1530 Non-Hospital Based Ambulatory Surgery-Projects Not Subject to This Part  
 1110.1540 Non-Hospital Based Ambulatory Surgery-Review Criteria

## SUBPART Q: CATEGORY OF SERVICE REVIEW CRITERIA-COMPUTER SYSTEMS

## Section

1110.1610 Introduction(Repealed)

1110.1620 Computer Systems-Definitions(Repealed)

1110.1630 Computer Systems-Review Criteria(Repealed)

## SUBPART R: CATEGORY OF SERVICE REVIEW CRITERIA-GENERAL LONG-TERM CARE

## Section

1110.1710 Introduction

1110.1720 General Long-Term Care-Definitions

1110.1730 General Long-Term Care-Review Criteria

## SUBPART S: CATEGORY OF SERVICE REVIEW CRITERIA-SPECIALIZED LONG-TERM CARE

## Section

1110.1810 Introduction

1110.1820 Specialized Long-Term Care-Definitions

1110.1830 Specialized Long-Term Care-Review Criteria

## SUBPART T: CATEGORY OF SERVICE REVIEW CRITERIA-MAGNETIC RESONANCE

## Section

1110.1910 Introduction

1110.1920 Magnetic Resonance-Definitions

1110.1930 Magnetic Resonance-Review Criteria

## SUBPART U: CATEGORY OF SERVICE REVIEW CRITERIA-HIGH LINEAR ENERGY TRANSFER (L.E.T.)

## Section

1110.2010 Introduction

1110.2020 High Linear Energy Transfer (L.E.T.)-Definitions

1110.2030 High Linear Energy Transfer (L.E.T.)-Review Criteria



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SUBPART V: CATEGORY OF SERVICE REVIEW CRITERIA-POSITRON  
EMISSION TOMOGRAPHIC SCANNING (P.E.T.)

Section	
1110.2110	Introduction
1110.2120	Positron Emission Tomographic Scanning (P.E.T.)-Definitions
1110.2130	Positron Emission Tomographic Scanning (P.E.T.)-Review Criteria

SUBPART W: CATEGORY OF SERVICE REVIEW CRITERIA-EXTRACORPOREAL  
SHOCK WAVE LITHOTRIPSY

Section	
1110.2210	Introduction
1110.2220	Extracorporeal Shock Wave Lithotripsy-Definitions
1110.2230	Extracorporeal Shock Wave Lithotripsy-Review Criteria

SUBPART X: CATEGORY OF SERVICE REVIEW CRITERIA-SELECTED  
ORGAN TRANSPLANTATION

Section	
1110.2310	Introduction
1110.2320	Selected Organ Transplantation-Definitions
1110.2330	Selected Organ Transplantation-Review Criteria

SUBPART Y: CATEGORY OF SERVICE REVIEW CRITERIA-KIDNEY  
TRANSPLANTATION

Section	
1110.2410	Introduction
1110.2420	Kidney Transplantation-Definitions
1110.2430	Kidney Transplantation-Review Criteria

SUBPART Z: CATEGORY OF SERVICE REVIEW CRITERIA-SUBACUTE  
CARE HOSPITAL MODEL

Section	
1110.2510	Introduction
1110.2520	Subacute Care Hospital Model-Definitions
1110.2530	Subacute Care Hospital Model-Review Criteria
1110.2540	Subacute Care Hospital Model-State Board Review
1110.2550	Subacute Care Hospital Model-Project Completion

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SUBPART AA: CATEGORY OF SERVICE REVIEW CRITERIA-POSTSURGICAL  
RECOVERY CARE CENTER-ALTERNATIVE HEALTH CARE MODEL

Section	
1110.2610	Introduction
1110.2620	Postsurgical Recovery Care Center Alternative Health Care Model-Definitions
1110.2630	Postsurgical Recovery Care Center Alternative Health Care Model-Review Criteria
1110.2640	Postsurgical Recovery Care Center Alternative Health Care Model-State Board Review
1110.2650	Postsurgical Recovery Care Center Alternative Health Care Model-Project Completion

## APPENDIX A Medical Specialty Eligibility/Certification Boards

## APPENDIX B State and National Norms on Square Footage by Department

APPENDIX C Statutory Citations for all State and Federal Laws and Regulations Referenced in  
Chapter 1110

AUTHORITY: Implementing and authorized by the Illinois Health Facilities Planning Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1151 et seq.) [20 ILCS 3960/1 et seq.]

SOURCE: Fourth Edition adopted at 3 Ill. Reg. 30, p. 194, effective July 28, 1979; amended at 4 Ill. Reg., p. 129, effective January 11, 1980; amended at 5 Ill. Reg. 4895, effective April 22, 1981; amended at 5 Ill. Reg. 10297, effective September 30, 1981; amended at 6 Ill. Reg. 3079, effective March 8, 1982; emergency amendments at 6 Ill. Reg. 6895, effective May 20, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 11574, effective September 9, 1982; Fifth Edition adopted at 7 Ill. Reg. 5441, effective April 15, 1983, amended at 8 Ill. Reg. 1633, effective January 31, 1984; codified at 8 Ill. Reg. 18498; amended at 9 Ill. Reg. 3734, effective March 6, 1985; amended at 11 Ill. Reg. 7333, effective April 1, 1987, amended at 12 Ill. Reg. 16099, effective September 21, 1988; amended at 13 Ill. Reg. 16078, effective September 29, 1989; emergency amendments at 16 Ill. Reg. 13159, effective August 4, 1992, for a maximum of 150 days; emergency expired January 1, 1993; amended at 16 Ill. Reg. 16108, effective October 2, 1992; amended at 17 Ill. Reg. 4453, effective March 24, 1993; amended at 18 Ill. Reg. 2993, effective February 10, 1994; amended at 18 Ill. Reg. 8455, effective July 1, 1994; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART AA: CATEGORY OF SERVICE REVIEW CRITERIA-POSTSURGICAL  
RECOVERY CARE CENTER-ALTERNATIVE HEALTH CARE MODEL

## Section 1110.2610 Introduction

- a) Subpart AA of this Part contains review criteria which pertain to the postsurgical recovery care center alternative health care model category of service. The postsurgical recovery care center alternative health care model category of service is a demonstration program which is authorized by the Alternative Health Care Delivery Act. These postsurgical recovery care center alternative health care model review criteria are utilized in addition to the General Review Criteria contained in Subpart C of this Part and in

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addition to the Financial and Economic Feasibility Review Criteria contained in 77 Ill. Adm. Code 1120. This Subpart also contains the methodology the State Board shall utilize in evaluating competing applications, if any, for the establishment of any postsurgical recovery care center alternative health care models.

b) A postsurgical recovery care center alternative health care model must obtain a certificate of need permit to establish the category of service prior to receiving a license for the service. Failure to obtain such permit will result in the application of sanctions as provided for in the Illinois Health Facilities Planning Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1151 et seq.)20 ILCS 3960].

c) As the purpose of the demonstration project is to evaluate the model for quality factors, access and the impact on health care costs each applicant approved for the category of service will be required to periodically submit data necessary for evaluating the model's effectiveness.

d) Applications received for the postsurgical care center alternative health care model shall be deemed complete upon receipt by the State Agency. Due to the comparative nature of the postsurgical care center alternative health care model review applicants will not be allowed to amend the application or provide additional supporting documentation during the review process. The application, as submitted to the State Agency, shall serve as the basis for all standard and prioritization evaluation.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 1110.2620 Postsurgical Recovery Care Center Alternative Health Care Model-Definitions

a) "Postsurgical Recovery Care Center" IS A DESIGNATED SITE WHICH PROVIDES POSTSURGICAL RECOVERY CARE FOR GENERALLY HEALTH PATIENTS UNDERGOING SURGICAL PROCEDURES THAT REQUIRE OVERNIGHT NURSING CARE, PAIN CONTROL, OR OBSERVATION THAT WOULD OTHERWISE BE PROVIDED IN AN INPATIENT SETTING. Such a center may be either freestanding or a defined unit of an ambulatory surgical treatment center or hospital. The maximum length of stay for patients in a postsurgical recovery care center is not to exceed 72 hours. (Section 35 of the Alternative Health Care Delivery Act [210 ILCS 3/35])

b) "Postsurgical Recovery Care Center Alternative Health Care Model" means a category of service for the provision of postsurgical recovery care within a postsurgical recovery care center.

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c) "Surgical Referral Site" means a physician office, clinic, ambulatory surgical treatment center or hospital in which surgery will be performed and the surgical patient then transferred to the recovery care center.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 1110.2630 Postsurgical Recovery Care Center Alternative Health Care Model-Review Criteria

a) Unit Size--Review Criterion

The applicant must document that the proposed recovery care center will not exceed 20 beds in size. The applicant must also document that the proposed number of beds is justified based upon the anticipated number of patients who will utilize the service. Documentation shall contain: a physical layout of the center, historical outpatient surgical volume at referring sites, inpatient surgical referrals from the surgical referring sites that could have received surgical services within the model if it had been available, and the anticipated reduction in referrals sent to each facility currently utilized for surgical services by the surgical referring sites.

b) Staffing--Review Criterion

The applicant must document that the postsurgical recovery care center will be a separate and distinct facility having dedicated nursing staff, a medical director and 24 hour seven days a week on call physician coverage by a physician licensed to practice medicine in all of its branches. The on-call physician must be able to be physically present at the model within 15 minutes upon request. Documentation shall consist of identification of staff positions dedicated to the model, who will become the facility medical director and how required physician coverage will be accomplished.

c) Specialty Service--Review Criterion

The applicant must document that the postsurgical recovery care center is capable of providing recovery care to patients receiving a wide variety of surgical procedures. Documentation shall consist of a detailed listing of the types of surgical procedures which will be performed and the protocols as to how recovery care will be given to each type of surgical patient.

d) Travel Time--Review Criterion

The applicant must document that the model will be located no farther than 15 minutes travel time under normal driving conditions from all surgical referral sites.



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Documentation shall consist of identification of all surgical referral sites and the time travel distance to the recovery care center.

e) On Site Surgical Backup--Review Criterion

The applicant must document that the recovery care center will have the capability to provide on-site emergency surgical services if required to stabilize a patient prior to transfer to an acute care facility. Documentation shall consist of the identification of the physical area within the recovery care center than will be utilized for emergency surgery and all protocols established for the treatment of emergency patients.

f) Surgical Referral Mix--Review Criterion

The applicant must document that the recovery care center shall be utilized for recovery care by a wide range of surgical patients and not utilized solely for recovery of a single type of surgical case. Surgical referral sites must provide such variety in that within the surgical referral sites surgery and subsequent referral to the recovery care center must occur within at least three of the following surgical areas: general surgery, eye-ears-nose-throat, orthopedic, plastic surgery, ophthalmology, urology, obstetric/gynecology, and gastro-enterology.

(Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 1110.2640

Postsurgical Recovery Care Center Alternative Health Care Model-State Board Review

- a) State Board Evaluation. The State Board shall evaluate each qualified application for the postsurgical recovery care center alternative health care model category of service (refer to 77 Ill. Adm. Code 1100.750 (c) for development restrictions) based upon compliance with the conditions set forth in subsection (b) below.

b) State Board Prioritization.

- 1) An application for the category of service must meet the development restrictions specified in 77 Ill. Adm. Code 1100.750 (c).
- 2) All applications for each planning area shall be rank ordered based on points awarded as follows:
  - A) Compliance with all applicable review criteria of Subpart C of this Part (General Review Criteria) --- 10 Points.

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- B) Compliance with all review criteria of Section 1110.2630 (Postsurgical Recovery Care Center Alternative Health Care Model Review Standards) --- 10 Points.

- C) Compliance with all applicable review criteria of 77 Ill. Adm. Code 11120 (Financial Review Criteria) --- 10 Points.

- D) Location in a medically underserved area (as defined by the Department of Health and Human Services (Section 332 of the Public Health Service Act) as a health professional shortage area) ---3 Points.

- E) To insure that the model evaluates a wide range of surgical cases an applicant shall be awarded an additional point for each surgical specialty area beyond the required three areas from which patients are referred to the recovery care center (Refer to Section 1110.2630 (f) for surgical areas).

- F) Historical medicare and medicaid surgical revenue at the surgical referral sites. Ten to twenty-five percent --- 3 Points, twenty-six to fifty percent --- 6 Points and over fifty percent --- 9 Points

- 3) A postsurgical recovery care center alternative health care model must obtain a minimum of 30 points for approval. The applicant within the planning area receiving the most points shall be granted the permit for the category if the minimum point total has been exceeded. In the case of tie scores the Planning Board shall base it's selection on considerations which best implement the goals of the Alternative Health Care Delivery Act.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 1110.2650

Postsurgical Recovery Care Center Alternative Health Care Model-Project Completion

- a) Since the purpose for establishment of this category of service is to evaluate the alternative delivery model for effectiveness, such projects are not complete until such time as the model is evaluated and the decision made to adopt or not adopt the model as an ongoing licensed level of service separate from an alternative delivery model. A discontinuation permit will not be required of a facility holding a postsurgical recovery care center alternative health care model permit if the facility elects to discontinue the model. The postsurgical recovery care center alternative health care model project shall be considered complete as of the date the Agency is notified of the discontinuation. If

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during the course of the model evaluation period an approved provider of the model elects to discontinue the category of service a replacement provider of the same type may be approved by the State Board. If a need for an additional model exists applications shall be approved in accordance with Section 1110.2640. Any alteration to the approved category of service during the life of the permit is subject to State Board review.

b) All assurances and charges for service presented in the application shall be in effect for the life of the permit unless altered pursuant to the approval of the State Board.

c) A postsurgical recovery care center alternative health care model shall have a period of eighteen months from the date of permit issuance to become operational. Failure to begin operation in this time period shall result in the permit becoming null and void.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

DEPARTMENT OF REVENUE  
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Income Tax
- 2) Code Citation: 86 Ill. Adm. Code 100
- 3) Section Numbers: Proposed Action:  
100.2470 Amendment
- 4) Statutory Authority: The Illinois Income Tax Act [35 ILCS 5/101 et seq.]
- 5) A Complete Description of the Subjects and Issues Involved: Sections 203(a)(2)(N), 203(b)(2)(J), 203(c)(2)(K) and 203(d)(2)(G) of the Illinois Income Tax Act allow the subtraction from federal income in arriving at Illinois base income of amounts exempt from taxation by virtue of Illinois law, the Illinois or U.S. Constitutions, or by reason of U.S. treaties or statutes. This rulemaking clarifies that such subtractions are net of any bond premium amortization expenses.
- 6) Will this proposed rule replace an emergency rule currently in effect:  
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part: No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not create a state mandate, nor does it modify any existing state mandates.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rule may submit them in writing by no later than 45 days after publication of this notice to:  
  
Keith Staats  
Senior Counsel - Income Tax  
Illinois Department of Revenue  
Office of General Counsel  
101 West Jefferson  
Springfield, Illinois 62708  
Phone: (217) 782-6336
- 12) Initial Regulatory Flexibility Analysis:  
A) Types of small businesses affected: Any small business that does business in the State of Illinois.



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- B) Reporting, bookkeeping or other procedures required for compliance: This rulemaking requires no new reporting, bookkeeping or other procedures for compliance.
- C) Types of professional skills necessary for compliance: No new professional skills are required by this rulemaking.

The full text of the Proposed Amendment(s) begins on the next page:

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TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUE

PART 100  
INCOME TAX

## SUBPART A: TAX IMPOSED

Section	
100.2000	Introduction
100.2050	Net Income (IITA Section 202)

## SUBPART B: CREDITS

Section	
100.2100	Investment Credit

## SUBPART C: NET OPERATING LOSSES OF UNITARY BUSINESS GROUPS OCCURRING PRIOR TO DECEMBER 31, 1986

Section	
100.2200	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (IITA Section 202) - Scope

100.2210	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Definitions
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100.2220	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Current Net Operating Losses; Offsets Between Members
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100.2230	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Carrybacks and Carryforwards
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100.2240	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Effect of Combined Net Operating Loss in Computing Illinois Base Income
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100.2250	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Deadline for Filing Claims Based on Net Operating Losses Carried Back From a Combined Apportionment Year
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SUBPART D: ILLINOIS NET LOSS DEDUCTIONS OCCURRING ON OR AFTER DECEMBER 31, 1986

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Section  
100.2300 Illinois Net Loss Deductions for Losses Occurring On or After December 31, 1986  
100.2310 Computation of the Illinois Net Loss Deduction  
100.2320 Determination of the Amount of Illinois Net Loss  
100.2330 Illinois Net Loss Carrybacks and Net Loss Carryovers  
100.2340 Illinois Net Loss Deductions of Corporations That are Members of a Unitary Business Group: Separate Unitary Versus Combined Unitary Returns  
100.2350 Illinois Net Loss Deductions of Corporations that are Members of a Unitary Business Group: Changes in Membership

SUBPART E: ADDITIONS TO AND SUBTRACTIONS FROM TAXABLE INCOME OF INDIVIDUALS, CORPORATIONS, TRUSTS AND ESTATES AND PARTNERSHIPS

Section  
100.2470 Subtraction of Amounts Exempt from Taxation by Virtue of Illinois Law, the Illinois or U.S. Constitutions, or by Reason of U.S. Treaties or Statutes (IITA Sections 203(a)(2)(N), 203(b)(2)(J), 203(c)(2)(K) and 203(d)(2)(G))

SUBPART G: BASE INCOME OF TRUSTS AND ESTATES

Section  
100.2680 Capital Gain Income of Estates and Trusts Paid to or Permanently Set Aside for Charity

SUBPART I: GENERAL RULES OF ALLOCATION AND APPORTIONMENT OF BASE INCOME

Section  
100.3000 Terms Used in Article 3 (IITA Section 301)  
100.3010 Business and Nonbusiness Income (IITA Section 301)  
100.3020 Resident (IITA Section 301)

SUBPART J: COMPENSATION PAID TO NONRESIDENTS

Section  
100.3100 Compensation (IITA Section 302)  
100.3110 State (IITA Section 302)  
100.3120 Allocation of Compensation Paid to Non-Residents (IITA Section 302)

SUBPART K: NON-BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

Section

## ILLINOIS REGISTER

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100.3200 Taxability in Other State (IITA Section 303)  
100.3210 Commercial Domicile (IITA Section 303)  
100.3220 Allocation of Certain Items of Nonbusiness Income by Persons Other than Residents (IITA Section 303)

SUBPART L: BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

Section  
100.3300 Allocation and Apportionment of Base Income (IITA Section 304)  
100.3310 Business Income of Persons Other than Residents (IITA Section 304) - In General  
100.3320 Business Income of Persons Other Than Residents (IITA Section 304) - Apportionment  
100.3330 Business Income of Persons Other Than Residents (IITA Section 304) - Allocation  
100.3340 Business Income of Persons Other Than Residents (IITA Section 304)  
100.3350 Property Factor (IITA Section 304)  
100.3360 Payroll Factor (IITA Section 304)  
100.3370 Sales Factor (IITA Section 304)  
100.3380 Special Rules (IITA Section 304)  
100.3390 Petitions for Alternative Allocation or Apportionment (IITA Section 304(f))  
100.3400 ~~Allocation of Compensation Paid to Nonresidents (IITA Section 302)~~

SUBPART N: TIME AND PLACE FOR FILING RETURNS

Section  
100.5000 Time for Filing Returns: Individuals (IITA Section 505)  
100.5010 Place for Filing Returns: All Taxpayers (IITA Section 505)  
100.5020 Extensions of Time for Filing Returns: All Taxpayers (IITA Section 505)  
100.5030 Taxpayer's Notification to the Department of Certain Federal Changes Arising in Federal Consolidated Return years, and Arising in Certain Loss Carryback Years (IITA Section 506)

SUBPART O: COMPOSITE RETURNS

Section  
100.5100 Composite Returns: Eligibility  
100.5110 Composite Returns: Responsibilities of Authorized Agent  
100.5120 Composite Returns: Individual Liability  
100.5130 Composite Returns: Required forms and computation of Income  
100.5140 Composite Returns: Estimated Payments  
100.5150 Composite Returns: Tax, Penalties and Interest  
100.5160 Composite Returns: Credit for Resident Individuals  
100.5170 Composite Returns: Definition of a "Lloyd's Plan of Operation"



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100.7310 Quarterly Returns Filed on an Annual Basis (IITA Section 704)  
100.7320 Time for Filing Returns (IITA Section 704)  
100.7330 Payment of Tax Deducted and Withheld (IITA Section 704)  
100.7340 Correction of Underwithholding or Overwithholding (IITA Section 704)

SUBPART U: COLLECTION AUTHORITY

Section  
100.9000 General Income Tax Procedures (IITA Section 901)  
100.9010 Collection Authority (IITA Section 901)

SUBPART V: NOTICE AND DEMAND

Section  
100.9100 Notice and Demand (IITA Section 902)

SUBPART W: ASSESSMENT

Section  
100.9200 Assessment (IITA Section 903)  
100.9210 Waiver of Restrictions on Assessments (IITA Section 907)

SUBPART X: DEFICIENCIES AND OVERPAYMENTS

Section  
100.9300 Deficiencies and Overpayments (IITA Section 904)  
100.9310 Application of Tax Payments Within Unitary Business Groups (IITA Section 603)  
100.9320 Limitations on Notices of Deficiency (IITA Section 905)  
100.9330 Further Notices of Deficiency Restricted (IITA Section 906)

SUBPART Y: CREDITS AND REFUNDS

Section  
100.9400 Credits and Refunds (IITA Section 909)  
100.9410 Limitations on Claims for Refund (IITA Section 911)  
100.9420 Recovery of Erroneous Refund (IITA Section 912)

SUBPART Z: INVESTIGATIONS AND HEARINGS

Section  
100.9500 Access to Books and Records (IITA Section 913)  
100.9510 Taxpayer Representation and Practice Requirements  
100.9520 Conduct of Investigations and Hearings

SUBPART AA: JUDICIAL REVIEW

SUBPART P: COMBINED RETURNS

Section  
100.5200 Election to File a Combined Return  
100.5210 Procedure for Making the Election  
100.5220 Designated Agent for the Members  
100.5230 Combined Estimated Tax Payments  
100.5240 Claims for Credit of Overpayments  
100.5250 Liability for Combined Tax, Penalty and Interest  
100.5260 Combined Amended Returns  
100.5270 Computation of Combined Income and Tax  
100.5280 Definitions and Miscellaneous Provisions Relating to Combined Returns

SUBPART Q: REQUIREMENT AND AMOUNT OF WITHHOLDING

Section  
100.7000 Requirement of Withholding (IITA Section 701)  
100.7010 Compensation Paid in this State (IITA Section 701)  
100.7020 Transacting Business Within this State (IITA Section 701)  
100.7030 Payments to Residents (IITA Section 701)  
100.7040 Employer Registration (IITA Section 701)  
100.7050 Computation of Amount Withheld (IITA Section 701)  
100.7060 Additional Withholding (IITA Section 701)  
100.7070 Voluntary Withholding (IITA Section 701)  
100.7080 Correction of Underwithholding or Overwithholding (IITA Section 701)  
100.7090 Reciprocal Agreement (IITA Section 701)  
100.7095 Cross References

SUBPART R: AMOUNT EXEMPT FROM WITHHOLDING

Section  
100.7100 Withholding Exemption (IITA Section 702)  
100.7110 Withholding Exemption Certificate (IITA Section 702)  
100.7120 Exempt Withholding Under Reciprocal Agreements (IITA Section 702)

SUBPART S: INFORMATION STATEMENT

Section  
100.7200 Reports for Employee (IITA Section 703)

SUBPART T: EMPLOYER'S RETURN AND PAYMENT OF TAX WITHHELD

Section  
100.7300 Returns of Income Withheld from Wages (IITA Section 704)

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Section  
100.9600

Administrative Review Law (IITA Section 1201)

## SUBPART BB: DEFINITIONS

Section  
100.9700

Unitary Business Group Defined (IITA Section 1501)

## SUBPART CC: LETTER RULING PROCEDURES

Section  
100.9800

Letter Ruling Procedures

## APPENDIX A: Business Income of Persons Other Than Residents

Table A Example of Unitary Business Apportionment

Table B Example of Unitary Business Apportionment for Groups Which Include Members Using Three-Factor and Single-Factor Formulas

**AUTHORITY:** Implementing the Illinois Income Tax Act (Ill. Rev. Stat. 1991, ch. 120, pars. 1-101 et seq. [35 ILCS 5/101 et seq.] and authorized by Section 1401 of the Illinois Income Tax Act (Ill. Rev. Stat. 1991, ch. 120, par. 14-1401) [35 ILCS 5/1401].

**SOURCE:** Filed July 14, 1971, effective July 24, 1971; amended at 2 Ill. Reg. 49 p. 84, effective November 29, 1978; amended at 5 Ill. Reg. 813, effective January 7, 1981; amended at 5 Ill. Reg. 4617, effective April 14, 1981; amended at 5 Ill. Reg. 4642, effective April 14, 1981; amended at 5 Ill. Reg. 5537, effective May 7, 1981; amended at 5 Ill. Reg. 5705, effective May 20, 1981; amended at 5 Ill. Reg. 5883, effective May 20, 1981; amended at 5 Ill. Reg. 6843, effective June 16, 1981; amended at 5 Ill. Reg. 13244, effective November 13, 1981; amended at 5 Ill. Reg. 13724, effective November 30, 1981; amended at 6 Ill. Reg. 579, effective December 29, 1981; amended at 6 Ill. Reg. 9701, effective July 26, 1982; amended at 7 Ill. Reg. 399, effective December 28, 1982; codified at 8 Ill. Reg. 19574; amended at 9 Ill. Reg. 16986, effective October 21, 1985; amended at 9 Ill. Reg. 685, effective December 31, 1985; amended at 10 Ill. Reg. 7913, effective April 28, 1986; amended at 10 Ill. Reg. 19512, effective November 3, 1986; amended at 10 Ill. Reg. 21941, effective December 15, 1986; amended at 11 Ill. Reg. 831, effective December 24, 1986; amended at 11 Ill. Reg. 2450, effective January 20, 1987; amended at 11 Ill. Reg. 12410, effective July 8, 1987; amended at 11 Ill. Reg. 17782, effective October 16, 1987; amended at 12 Ill. Reg. 4865, effective February 25, 1988; amended at 12 Ill. Reg. 6748, effective March 25, 1988; amended at 12 Ill. Reg. 11766, effective July 1, 1988; amended at 12 Ill. Reg. 14307, effective August 29, 1988; amended at 13 Ill. Reg. 8917, effective May 30, 1989; amended at 13 Ill. Reg. 10952, effective June 26, 1989; amended at 14 Ill. Reg. 4558, effective March 8, 1990; amended at 14 Ill. Reg. 6810, effective April 19,

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1990; amended at 14 Ill. Reg. 10082, effective June 7, 1990; amended at 14 Ill. Reg. 16012, effective September 17, 1990; emergency amendment at 17 Ill. Reg. 473, effective December 22, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 8869, effective June 2, 1993; amended at 17 Ill. Reg. 13776, effective August 9, 1993; recodified at 17 Ill. Reg. 14189; amended at 17 Ill. Reg. 19632, effective November 1, 1993; amended at 17 Ill. Reg. 19966, effective November 9, 1993; amended at 18 Ill. Reg. 1510, effective January 13, 1994; amended at 18 Ill. Reg. 2494, effective January 28, 1994; amended at 18 Ill. Reg. 7768, effective May 4, 1994; amended at — Ill. Reg. —, effective \_\_\_\_\_.

SUBPART E: ADDITIONS TO AND SUBTRACTIONS FROM  
TAXABLE INCOME OF INDIVIDUALS, CORPORATIONS,  
TRUSTS AND ESTATES AND PARTNERSHIPS

**Section 100.2470 Subtraction of Amounts Exempt from Taxation by Virtue of Illinois Law, the Illinois or U.S. Constitutions, or by Reason of U.S. Treaties or Statutes (IITA Sections 203(a)(2)(N), 203(b)(2)(J), 203(c)(2)(K) and 203(d)(2)(G))**

a) Taxpayers are entitled to subtract from adjusted gross income an amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its Constitution or by reason of the Constitution, treaties or statutes of the United States (IITA 203(a)(2)(N)). There are also provisions of Illinois law that exempt the income of certain obligations of state and local governments from Illinois income taxation (See subsection (f), below).

b) Interest on obligations of the United States. A federal statute exempts stocks and obligations of the United States Government, as well as the interest on the obligation(s), from state income taxation (See 31 U.S.C.A. 3124(a)).

1) "Obligations of the United States" are those obligations issued "to secure credit to carry on the necessary functions of government." *Smith v. Davis* (1944) 323 U.S. 111, 119, 89 L. Ed. 107, 113, 65 S. Ct. 157, 161. The exemption is aimed at protecting the "Borrowing" and "Supremacy" clauses of the Constitution. *Society for Savings v. Bowers* (1955) 349 U.S. 143, 144, 99 L. Ed. 2d 950, 955, 75 S. Ct. 607, 608. *Hibernia v. City and County of San Francisco* (1906) 200 U.S. 310, 313, 50 L. Ed. 495, 496, 26 S. Ct. 265, 266.

A) Tax-exempt credit instruments possess the following characteristics:



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- i) they are written documents,
  - ii) they bear interest,
  - iii) they are binding promises by the United States to pay specified sums at specified dates, and
  - iv) they have congressional authorization which also pledges the faith and credit of the United States in support of the promise to pay. *Smith v. Davis, supra.*
- B) A governmental obligation that is secondary, indirect, or contingent, such as a guaranty of a nongovernmental obligor's primary obligation to pay the principal amount of and interest on a note, is not an obligation of the type exempted under 31 U.S.C. Section 3124(1). *Rockford Life Ins. Co. v. Department of Revenue, 107 S. Ct. 2312 (1987).*
- 2) Based on the above, the following types of income are exempt under 31 U.S.C.A. Section 3124(a):
- A) Interest on U.S. Treasury bonds, bills, certificates, and savings bonds.
  - B) Income from GSA Public Building Trust Participation Certificates: First Series, Series A through E; Second Series, Series F; Third Series, Series G; Fourth Series H and L.
- 3) The amount of interest income from obligations of the United States that may be subtracted pursuant to IITA Section 203 in calculating Illinois base income, is net of any bond premium amortization.
- c) Income exempted by reason of other federal statutes. Federal statutes provide exemption from state income taxation with respect to various specifically named types of income. The amount of such income which may be subtracted, pursuant to IITA Section 203, from federal taxable income in computing Illinois base income is net of any bond premium amortization. Following is a list (intended to be exhaustive) of exempt income and the specific statutes to which each item relates:

- 1) Banks for Cooperatives - Income from notes, debentures, and other obligations issued by Banks for Cooperatives (12 U.S.C.A. 2134).
- 2) Commodity Credit Corporation - Interest derived from bonds, notes, debentures, and other similar obligations issued by Commodity Credit Corporation (15 U.S.C.A. 713a-5).
- 3) Farm Credit System Financial Assistance Corporation (Financial Assistance Corporation) - Income from notes, bonds, debentures, and other obligations issued by the Financial Assistance Corporation (12 U.S.C.A. 2278b-10(b)).
- 4) Federal Deposit Insurance Corporation - Interest derived from notes, debentures, bonds, or other such obligations issued by Federal Deposit Insurance Corporation (12 U.S.C.A. 1825).
- 5) Federal Farm Credit Banks - Income from consolidated system-side notes, bonds, debentures, and other obligations issued jointly and severally under 12 U.S.C.A. 2153 by Banks of the Federal Farm Credit System (12 U.S.C.A. 2023; 12 U.S.C.A. 207; 12 U.S.C.A. 2098; and 12 U.S.C.A. 2134).
- 6) Federal Home Loan Banks - Interest derived from notes, debentures, bonds, and other such obligations issued by Federal Home Loan Banks and from consolidated Federal Home Loan bonds and debentures (12 U.S.C.A. 1433).
- 7) Federal Intermediate Credit Banks - Income from notes, debentures, bonds, and other obligations issued by Federal Intermediate Credit Banks (12 U.S.C.A. 2079).
- 8) Federal Land Banks and Federal Land Bank Association - Income from notes, debentures, bonds, and other obligations issued by Federal Land Banks and Federal Land Bank Associations (12 U.S.C.A. 2055).
- 9) Federal Savings and Loan Insurance Corporation - Interest derived from notes, bonds, debentures, and other such obligations issued by Federal Savings and Loan Insurance Corporation (12 U.S.C.A. 1725(e)).
- 10) Financing Corporation (FICO) - Income from obligations issued by the Financing Corporation (12 U.S.C.A. 1441(e)(8)).

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- 11) General Insurance Fund
  - A) Interest derived from debentures issued by General Insurance Fund under the War Housing Insurance Law (12 U.S.C.A. 1739(d)); or
  - B) Interest derived from debentures issued by General Insurance Fund to acquire rental housing projects (12 U.S.C.A. 1747(g)); or
  - C) Interest derived from Armed Services Housing Mortgage Insurance Debentures issued by the General Insurance Fund (12 U.S.C.A. Section 1748b(f)).
- 12) Guam - Interest derived from bonds issued by the government of Guam (48 U.S.C.A. 1423a). This income is not presently included in federal taxable income. Under Illinois law, it must be added back to federal taxable income and then claimed as a subtraction on an Illinois income tax return.
- 13) Mutual Mortgage Insurance Fund - Income from such debentures as are issued in exchange for property covered by mortgages insured after February 3, 1988 (12 U.S.C.A. 1710(d)). This income is not presently included in federal taxable income. Under Illinois law, it must be added back to federal taxable income and then claimed as a subtraction on an Illinois income tax return.
- 14) National Credit Union Administration Central Liquidity Facility - Income from the notes, bonds, debentures, and other obligations issued on behalf of the Central Liquidity Facility (12 U.S.C.A. 1795K(b)).
- 15) Production Credit Association - Income from notes, debentures, and other obligations issued by Production Credit Association (12 U.S.C.A. 2098).
- 16) Puerto Rico - Interest derived from bonds issued by the Government of Puerto Rico (48 U.S.C.A. 745). This income is not presently included in federal taxable income. Under Illinois law, it must be added back to federal taxable income and then claimed as a subtraction on an Illinois income tax return.
- 17) Railroad Retirement Act - Annuity and supplemental annuity payments as qualified under the Railroad Retirement Act of 1974 (45 U.S.C.A. 231m). Please be sure

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- to use the line specified on your Illinois return for this item.
- 18) Railroad Unemployment Insurance Act - Unemployment benefits paid pursuant to the Railroad Unemployment Insurance Act (45 U.S.C.A. 352(e)).
  - 19) Resolution Funding Corporation - Interest from obligations issued by the Resolution Funding Corporation (12 U.S.C.A. 1441b(f)(7)(A)).
  - 20) Special Food Service Program - Assistance to children under the Special Food Service Program (42 U.S.C.A. 1760(e)).
  - 21) Student Loan Marketing Association - Interest derived from obligations issued by the Student Loan Marketing Association (20 U.S.C.A. 1087-2(h)(221)).
  - 22) Tennessee Valley Authority - Interest derived from bonds issued by the Tennessee Valley Authority (16 U.S.C.A. 831n-4(d)).
  - 23) United States Postal Service - Interest derived from obligations issued by the United States Postal Service (39 U.S.C.A. 2005(d)(4)).
  - 24) Virgin Islands - Interest derived from bonds issued by the Government of the Virgin Islands (48 U.S.C.A. 1574(b)(ii)(A)). This income is not presently included in federal taxable income. Under Illinois law, it must be added back to federal taxable income and then claimed as a subtraction on an Illinois income tax return.
    - d) Distributions from money market trusts (mutual funds). Taxpayers may subtract income received from any of the obligations listed in subsections (b) and (c) above, even if the obligations are owned indirectly through owning shares in a mutual fund.
  - 1) If the fund invests exclusively in these state tax exempt obligations, the entire amount of the distribution (income) from the fund may be subtracted.
  - 2) If the fund invests in both exempt and non-exempt obligations, the amount represented by the percentage of the distribution that the mutual fund identifies as exempt may be subtracted.



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- 3) If the mutual fund does not identify an exempt amount or percentage, taxpayers may figure the subtraction by multiplying the distribution by the following fraction: as the numerator, the amount invested by the fund in state-exempt U.S. obligations; as the denominator, the fund's total investment. Use the year-end amounts to figure the fraction if the percentage ratio has remained constant throughout the year. If the percentage ratio has not remained constant, take the average of the ratios from the fund's quarterly financial reports.
- e) Getting a refund of tax you already paid. If you paid Illinois income tax on these state tax exempt distributions, you may file an amended return (IL-1040-X) to claim a refund for any year still within the statute of limitations.
- f) Interest on obligations of state and local governments. Income from state and local obligations is not exempt from Illinois income tax except where authorizing legislation adopted after August 1, 1969, specifically provides for an exemption. To date, authorizing legislation provides exemption for the income from the securities listed below. Taxpayers must show income from these exempt bonds as an addition and then as a subtraction on the Illinois income tax return. Income from these bonds is not exempt if the bonds are owned indirectly through owning shares in a mutual fund.
- 1) Notes and bonds issued by the Illinois Housing Development Authority (except housing-related commercial facilities notes and bonds) [20 ILCS 3805/31].
  - 2) Bonds authorized pursuant to the Export Development Act of 1983 (former Ill. Rev. Stat. 1991, Ch. 127, par. 2513, repealed by P.A. 87-860, effective July 1, 1992).
  - 3) Bonds issued by the Illinois Development Finance Authority pursuant to Sections 7.50 - 7.61 (venture fund and infrastructure bonds) [20 ILCS 3505/7.61].
  - 4) Bonds and notes issued by the Quad Cities Regional Economic Development Authority, if the Authority so determines [70 ILCS 510/13 and 510/15].
  - 5) College Savings Bonds issued under the General Obligation Bond Act in accordance with the Baccalaureate Savings Act [110 ILCS 920/7].

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- 6) Bonds issued by the Illinois Sports Facilities Authority (White Sox Bonds) [70 ILCS 3205/15].
  - 7) Bonds issued on or after September 2, 1988, pursuant to the Higher Education Student Assistance Act [110 ILCS 947] (transferred from 105 ILCS 5/30-15.18 by P.A. 87-997).
  - 8) Bonds issued by the Illinois Development Finance Authority under the Asbestos Abatement Finance Act [20 ILCS 3510/8].
  - 9) Bonds and notes issued under the Rural Bond Bank Act [30 ILCS 360/3-12].
  - 10) Income earned on investments made pursuant to the Home Ownership Made Easy Program [310 ILCS 55/5].
  - 11) Bonds issued pursuant to Sections 7.80 - 7.87 of the Illinois Development Finance Authority Act [20 ILCS 3505/7.86].
  - 12) Up to \$2,000 of income derived by individuals from investments made in accordance with College Savings Programs established under Section 30-15.8a [105 ILCS 5/30-15.8a].
- g) Other income exempt from Illinois income taxation by reason of Illinois statute:
- 1) Income earned by certain trust accounts established under the Illinois Pre-Need Cemetery Sales Act [815 ILCS 390/16]. Section 16(f) of the Illinois Pre-Need Cemetery Sales Act provides that; because it is not known at the time of deposit or at the time that income is earned on the trust account to whom the principal and the accumulated earnings will be distributed, for purposes of determining the Illinois Income Tax due on these trust funds, the principal and any accrued earnings or losses relating to each individual account shall be held in suspense until the final determination is made as to whom the account shall be paid.
  - 2) Income in the form of education loan repayments made for primary care physicians who agree to practice in designated shortage areas for a specified period of time under the terms of the Family Practice Residency Act [110 ILCS 935/4.10].
  - 3) Income earned by nuclear decommissioning trusts established pursuant to Section 8-508.1 of the Public Utilities

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Act [220 ILCS 5/8-508.1]. The terms "Decommissioning trust" or trust" means a fiduciary account in a bank or other financial institution established to hold the decommissioning funds provided pursuant to Section 8-508.1(b)(2) of the Public Utilities Code for the eventual purpose of paying decommissioning costs, which shall be separate from all other accounts and assets of the public utility establishing the trust. [220 ILCS 5/8-508.1(a)(3)]

- h) Income not exempt from Illinois income taxation. The following types of income are not exempt from Illinois income taxation:
- 1) Income from securities commonly known as GNMA "Pass-Through Securities" and also known as GNMA "Mortgage-Backed Securities" issued by approved issuers under 12 U.S.C.A. 1721(g) and guaranteed by GNMA under 12 U.S.C.A. 1721(g) (Rockford Life Insurance Co. v. Department of Revenue, 112 Ill.2d 174, 492 N.E. 2d 1278 (1986), reh. den. June 2, 1986) and income from debentures, notes, and bonds issued by the Federal National Mortgage Association including mortgage-backed bonds issued under authority of 12 U.S.C.A. 1719(d) and guaranteed by GNMA under 12 U.S.C.A. 1721(g).
  - 2) Accumulated interest on Internal Revenue Service tax refunds. Illinois Department of Revenue Letter Ruling No. 86-0640, dated July 11, 1986, citing Glidden Co. v. Glander, 151 Ohio St. 344, 86 N.E. 2d 1, 9 A.L.R. 2d 515 (1949).
  - 3) Income from U.S. securities acquired by a taxpayer under a repurchase agreement ("repo") with a bank or similar financial organization. The Department takes the position that, for income tax purposes, such agreements are generally to be treated as loans. That is, the taxpayer "loans" money to the bank and receives interest in return. The securities subject to repurchase by the bank serve as collateral for the loan. The bank remains legally entitled to receive the interest payments from the issuing authority and remains the actual owner of the securities. Therefore, any tax benefit attributable to the "exempt" income paid by the issuing authority accrues to the bank and not to the investor.
  - i) Method for computing the subtraction of exempt income. The Department emphasizes that before a taxpayer may subtract an item of exempt income, the taxpayer must be sure that he or she has included the item in Illinois base income. Some tax-exempt items are "automatically" included in base income because they are included in federal adjusted gross income, which is a part of

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base income. Interest on U.S. Treasury notes is not in this category. Other exempt items must be included as an addition on the Illinois tax return in figuring base income. In other words, the taxpayer must list certain tax-exempt items as additions and then as subtractions in figuring base income. Interest on the state and local government bonds described in subsection (f) above, is in this category.

(Source: Amended at — III. Reg. effective \_\_\_\_\_)



DEPARTMENT OF REVENUE  
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Uniform Penalty and Interest Act
- 2) Code Citation: 86 Ill. Adm. Code 700
- 3) Section Numbers: Proposed Action:  
700.300 Amendment
- 4) Statutory Authority: Section 3-3 of the Uniform Penalty and Interest Act [35 ILCS 735/3-3]
- 5) A Complete Description of the Subjects and Issues Involved:  
Between the time this Part was originally drafted and the time this Part was proposed, P.A. 87-1189 amended the Uniform Penalty and Interest Act in a number of respects. When the draft rules were modified to incorporate the changes made by P.A. 87-1189, due to an oversight, the quote of UPIA Section 3-3(a) did not fully reflect the amendment of that Section by the Act. This rulemaking amends Section 700.300(a) to correct this error to conform the quote of statutory language the exact language of the Uniform Penalty and Interest Act.

- 6) Will this proposed rule replace an emergency rule currently in effect:  
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part: No
- 10) Statement of Statewide Policy Objectives: This rulemaking neither creates a State Mandate, nor modifies any existing State Mandate.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rule may submit them in writing by no later than 45 days after publication of this notice to:

Keith Staats  
Senior Counsel - Income Tax  
Illinois Department of Revenue  
Office of General Counsel  
101 West Jefferson  
Springfield, Illinois 62708  
Phone: (217) 782-6336

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- 12) Initial Regulatory Flexibility Analysis:  
A) Types of small businesses affected: None. This rulemaking will have no effect on small businesses. It merely corrects a drafting error made when the rules were originally proposed.  
B) Reporting, bookkeeping or other procedures required for compliance: None.  
C) Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendment(s) begins on the next page:

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUEPART 700  
UNIFORM PENALTY AND INTEREST ACT

## SUBPART A: SCOPE AND APPLICATION OF THE ACT

Section  
700.100  
700.110Scope of the Act and this Part  
Application of the Provisions of the Act and this Part

## SUBPART B: INTEREST

700.200  
700.210  
700.220  
700.230Interest Paid and Interest Charged  
Interest Rate Calculation  
Interest Charged Taxpayers  
Interest Paid Taxpayers on Overpayments

## SUBPART C: PENALTIES

700.300  
700.310  
700.320  
700.330  
700.340Penalty for Late Filing or Failure to File and Penalty for Late  
Payment of Tax  
Penalty for Failure to File Correct Information Returns  
Penalty for Negligence  
Penalty for Fraud  
Personal Liability Penalty

## SUBPART D: REASONABLE CAUSE

700.400

Reasonable Cause

## SUBPART E: PAYMENT APPLICATION

700.500

Payment Application

AUTHORITY: Implementing the Uniform Penalty and Interest Act [35 ILCS 735/3], and authorized by Section 39b3 of the Civil Administrative Code of Illinois [20 ILCS 2502/39b3].

## DEPARTMENT OF REVENUE

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SOURCE: Adopted at 18 Ill. Reg. 1561, effective January 13, 1994; amended at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_.

## SUBPART C: PENALTIES

## Section 700.300 Penalty for Late Filing or Failure to File and Penalty for Late Payment of Tax

a) A penalty of 5% of the tax required to be shown due on a return shall be imposed for failure to file any the tax return on or before the due date prescribed for filing determined with regard for any extension of time for filing (penalty for late filing or nonfiling).

1) If any unprocessable return is corrected and filed within 21 days after notice by the Department the late filing or nonfiling penalty shall not apply. (Section 3-3(a) of the Act) The unprocessable return must have been filed on or before the due date prescribed for filing of that return, with regard for any extension of filing. In other words, a taxpayer may not attempt to avoid the 5% penalty by the late filing of an unprocessable return which is then corrected within 21 days of notice by the Department.

2) A return, for purposes of the imposition of this penalty, is any return required by a tax Act to be filed with the Department that is not an information return as that term is defined in Section 3-4(c) of the Act.

EXAMPLE 1: A withholding agent files Form IL-941 (Employer's Quarterly Illinois Withholding Tax Return) for third quarter 1994 on November 1, 1994. The total Illinois tax withheld is \$500,000. The form was due on October 31, 1994. A late payment filing penalty is imposed as follows: Total Illinois tax withheld (\$500,000) times the 5% late filing penalty equals \$25,000.

EXAMPLE 2: A withholding agent files Form IL-W-3 (Reconciliation of Illinois Income Tax Withheld and Transmittal of Income and Tax Statements) for tax year 1993 on March 1, 1994. The total Illinois tax withheld is \$1,000,000. The form was due on February 28, 1994. A late filing penalty is imposed as follows: Total Illinois tax withheld (\$1,000,000) times the 5% late filing penalty is \$50,000.

3) If a penalty for late filing or nonfiling is imposed in addition to a penalty for late payment, the total penalty due shall be the sum



DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

of the late filing penalty and the applicable late payment penalty (Section 3-3(a) of the Act).

b) A penalty of 15% of the tax shown on the return or the tax required to be shown due on the return shall be imposed for failure to pay:

- 1) the tax shown due on the return on or before the due date prescribed for payment of that tax, an amount of underpayment of estimated tax, or an amount that is reported in an amended return other than an amended return timely filed as required by subsection (b) of Section 506 of the Illinois Income Tax Act (penalty for late payment or nonpayment of admitted liability); or
- 2) the full amount of any tax required to be shown due on a return and which is not shown (penalty for late payment or nonpayment of additional liability), within 21 days after a notice of arithmetic error, notice and demand, or a final assessment is issued by the Department. In the case of a final assessment arising following a protest and hearing, the 21-day period shall not begin until all proceedings in court for review of the final assessment have terminated or the period for obtaining a review has expired without proceedings for a review having been instituted. In the case of a notice of tax liability that becomes a final assessment without a protest and hearing, the penalty provided in this Section shall be imposed at the expiration of the period provided for the filing of a protest. (Section 3-3(b) of the Act).

c) For purposes of the late payment penalties, the basis of the penalty shall be the tax shown or required to be shown on the return, whichever is applicable, reduced by any part of the tax which is paid on time and by any credit which was properly allowable on the date the return was required to be filed. (Section 3-3(c) of the Act) The amount of this late payment penalty, unlike some late payment penalties that were imposed prior to the adoption of the Uniform Penalty and Interest Act, does not change over time. The late payment penalty is the same whether payment is one day late, or one year late.

d) A penalty shall be applied to the tax required to be shown even if that amount is less than the tax shown on the return. (Section 3-3(d) of the Act)

EXAMPLE: A rentor of automobiles for periods of one year or less, has tax due under the Automobile Renting Occupation and Use Tax for the rental receipts received during the month of June 1994 on July 20, 1994. The tax shown on the return filed on July 20, 1994 is \$500, but the taxpayer remits no payment of the tax when the return is

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filed. On August 1, 1994 the taxpayer files an amended return reducing tax liability to \$400 and also remits \$400. Assuming that the \$400 amount shown on the amended return is correct, the taxpayer owes a late payment penalty on \$400, the amount required to be shown on the original return, not the \$500 amount that was shown on the original return.

e) If both a subsection (b)(1) penalty and a subsection (b)(2) penalty are assessed against the same return, the subsection (b)(2) penalty shall be assessed against only the additional tax found to be due. (Section 3-3(e) of the Act)

EXAMPLE: A withholding tax agent has tax due for the third quarter of 1994. The return is filed timely, with tax withheld of \$20,000, but on time payments only equal \$15,000 leaving a tax balance due of \$5,000. The late payment penalty applicable on November 1, 1994 is \$750. Full payment of tax is made on March 15, 1995. On October 1, 1997, an audit is completed increasing tax to \$30,000. Additional late payment penalty is \$1500 (\$30,000 minus the original \$20,000 equals \$10,000 tax due times 15% equals \$1500 late payment penalty.) the total late payment penalty is \$2250.

f) If the taxpayer has failed to file the return, the Department shall determine the correct tax according to its best judgment and information, which amount shall be prima facie evidence of the correctness of the tax due. (Section 3-3(f) of the Act)

g) The time within which to file a return or pay an amount of tax due without imposition of a penalty does not extend the time within which to file a protest to a notice of tax liability or a notice of deficiency. (Section 3-3(g) of the Act)

(Source: Amended at — Ill. Reg. — effective —)

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1) Heading of Part: Illinois State Fair and DuQuoin State Fair, Non-Fair Space Rental and the General Operation of the State Fairgrounds

2) Code Citation: 8 Ill. Adm. Code 270

3) Section Numbers: Adopted Action:

270.10 Amended  
270.15 Amended  
270.20 Amended  
270.35 Amended  
270.40 Amended  
270.50 Amended  
270.70 Amended  
270.75 Amended  
270.85 Amended  
270.90 Amended  
270.95 Amended  
270.130 Amended  
270.135 Amended  
270.140 Amended  
270.150 Amended  
270.165 Amended  
270.170 Amended  
270.180 Amended  
270.190 Amended  
270.205 Amended  
270.210 Amended  
270.221 New Section  
270.230 Amended  
270.235 Amended  
270.240 Amended  
270.245 Amended  
270.261 Amended  
270.280 Amended  
270.320 Amended  
270.365 Amended  
270.371 New Section  
270.395 Amended  
270.480 Amended  
270.510 Amended  
270.540 Amended  
270.625 Amended  
270.685 Amended

4) Statutory Authority: The State Fair Act (Ill. Rev. Stat. 1991, ch. 127, par. 1701 et seq.) [20 ILCS 210], see P.A. 88-5, effective June 8, 1993; Section 40.14 and Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991,

## DEPARTMENT OF AGRICULTURE

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ch. 127, pars. 16 and 40.14) [20 ILCS 5/16 and 40.14].

5) Effective date of amendments: June 12, 1994

6) Does this rulemaking contain an automatic repeal date? No

7) Does this proposed amendment contain incorporations by reference? No

8) Date filed in agency's principal office: June 12, 1994

9) Notice of proposal published in Illinois Register:

March 11, 1994, 18 Ill. Reg. 3164

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version:

Nonsubstantive editorial changes were made. References to statute titles were added in Sections 270.85(b), 270.90, 270.230, 270.480(c), and 270.625(b). Statute citations were corrected in Sections 270.165(b), 270.365, 270.395(b), 270.480(a), and 270.625(b).

In Section 270.70, in the third to the last sentence, a clarification was added: "All persons requesting such space shall apply for space pursuant to Sections 270.35 and 270.40, except that the revenue generating evaluation criteria of those sections shall not apply."

In section 270.140, the second sentence, the daily opening time for buildings was inadvertently changed to 10:00 a.m. and is to remain unchanged at 9:00 a.m.: "Buildings shall be open at 9:00 a.m. and shall close at 9:00 p.m. daily."

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? N/A

13) Will this amendment replace an emergency amendment in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of amendments:

Citations to the Illinois Revised Statutes have been updated, and citations to the Illinois Compiled Statutes have been added.



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In Section 270.10, a new definition was added and other definitions were clarified. In Section 270.15, a clarification was added to allow the Department flexibility of shortening the length of the fair if necessary.

In Section 270.35, the intent of this amendment is to allow more flexibility in recruiting concessioners/exhibitors to the State Fair which will generate substantial dollar payments and improve the appearance of the fairgrounds. This change is extremely important due to the implementation of the State Fair Fund. In Section 270.40, this change is to facilitate earlier review of applications for new concessioners/exhibitors for the State Fair.

In Section 270.75, the amendment clarifies the concessioner's right to assign the contract to a family member while still retaining the prohibition to the assignment of the contract to a third party. Section 270.85 clarifies the conditions under which a concessioner/exhibitor may be removed from the fairgrounds and removes the grant of privilege. The language concerning approval in writing by the State Fire Marshal has been deleted in Section 270.95. The State Fire Marshal routinely inspects all installations but does not provide approval in writing.

Section 270.130 provides additional clarification of Department policy. Section 270.135 provides for accelerated payment of space rental fees and amends the method of payment. The amendment in Section 270.140 is an effort to accommodate reasonable hours of operation for commercial concessioners/exhibitors. In Section 270.150, it has been the Department's experience that negotiating contracts in certain areas such as in the leasing of facilities during the fair that the 15% percentage rate may not be economically feasible.

Section 270.170 clarifies the height requirements for inside exhibits. Section 270.180 clarifies current policy. In an effort to enhance the appearance of the State Fairgrounds, an amendment to Section 270.210 clarifies where a concessioner's/exhibitor's trailer can be stored during the Springfield State Fair. Section 270.221 is a new section defining the State Fair Manager's authority to close concessions and limit operations in emergency circumstances.

Sections 270.235, 270.240, and 270.245 have been amended due to recent funding problems by the General Assembly that necessitate the negotiation of contracts beyond the July 1 deadline.

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Section 270.50 amends the method for reassigning space. Section 270.70 amends the procedure for requesting space for persons distributing information and/or soliciting contributions in the exercise of their constitutional freedoms. Section 270.371 is proposed new language to implement Public Act #88-5 which allows for the leasing of facilities during the State Fair.

Section 270.510 is amended in an effort to allow the flexibility to book long term multiple year events at the State Fairgrounds which could substantially enhance the revenue of the Illinois State Fair.

- 16) Information and questions regarding this adopted amendment shall be directed to:  
 Name: Debbie Wakefield  
 Address: Illinois Department of Agriculture  
 State Fairgrounds, Springfield,  
 Illinois 62794-9281  
 Telephone: 217/782-2172

The full text of adopted amendments begins on the next page:

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENT(S)

TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER 1: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER j: FAIRS

## PART 270

ILLINOIS STATE FAIR, AND DUQUOIN STATE FAIR,  
NON-FAIR SPACE RENTAL AND THE GENERAL  
OPERATION OF THE STATE FAIRGROUNDS

## SUBPART A: DEFINITIONS: POLICY: VIOLATION

## Section

270.10 Definitions

270.15 Policy

270.20 Violation of Rules; Administrative Hearings

## SUBPART B: CONCESSIONS AND EXHIBITS AT THE STATE FAIR

## Section

270.25 Categories of Exhibits

270.30 Privilege to Operate a Concession or Exhibit

270.35 Application for Reassignment of Space

270.40 New Applications for Space Rental

270.45 Substitute Locations or Discontinuance of Contracts

270.50 Reassignment of Space by Department

270.55 Number of Stands Permitted

270.60 Policy Governing Exhibits/Concessions and Approval to Conduct Business

270.65 Policy of Permitting Space Without Monetary Charge

270.70 Exercising Constitutional Freedoms

270.75 Assignment of Contracts

270.80 Inspection of Premises

270.85 Removal or Denial of Acceptance

270.90 Concessions and Exhibits Prohibited

270.95 Liquified Petroleum Gas

270.100 Merchandising Permits

270.105 Measuring Space

270.110 Electricity

270.115 Broadcasting Devices

270.120 Display of Exhibit or Concession Number

270.125 Protection of the Public and Lessee's Property

270.130 Distributing Literature or Display Advertising

270.135 Payment of Space Rental Contract

270.140 Operational Hours

270.145 Sales Prior to the State Fair

270.150 Sales During the State Fair

270.155 Property Shipped to the State Fair

270.160 Removal of Property

270.165 Gambling, Raffles, Prizes, Games of Chance, Intoxicating Beverages

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270.170

Inside Exhibits

270.175 Posting Food Prices

270.180 Clean-Up

270.185 Public Health

270.190 Food and/or Drink Service Operations

270.195 Release Procedure

270.200 Security

270.205 Liability

270.210 Concessionaire's or Exhibitor's Trailers

270.215 Failure to Abide by Rules or Contract Provisions

270.220 Lessee's General Standard of Conduct

270.221 Emergency Closing

## SUBPART C: HORSE RACING AT THE STATE FAIR

## Section

270.225 Categories of Horse Racing

270.230 State Fair Colt Stakes Races

270.235 Review Futurity Races

270.240 Illinois Trotting and Pacing Colt Races

270.245 Quarter Horse Races

## SUBPART D: PREMIUMS AND RULES GOVERNING EXHIBITS OR EVENTS

## Section

270.250 Premiums Offered

270.255 Premium Books

270.260 Payment of Premiums

270.261 Land of Lincoln Breeders Awards for Purebred or Registered Livestock

## SUBPART E: JUDGES: STATE FAIR

## Section

270.265 Professional and Artistic Contracts

270.270 Judge's Salary

270.275 Selection of Judges

## SUBPART F: CERTIFICATES OF AWARD: STATE FAIR

## Section

270.280 Certificates, Ribbons and Trophies

## SUBPART G: FEES FOR ADMISSION TO THE STATE FAIR

## Section

270.285 Daily Admission Charge

270.290 Special Events

270.295 Designated Days

270.300 Gate Admission Charge Waived



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270.305 Schedule of Admission Charges and Fees  
 270.310 Admission of Motor Vehicles  
 270.315 Employees of Exhibitor/Concessionaire

## SUBPART H: TRAFFIC CONTROL, PARKING AND CAMPING: STATE FAIR

Section  
 270.320 Camping Location  
 270.325 Fee for Camping  
 270.330 Camping Sticker  
 270.335 Removal of Illegally Parked Vehicles  
 270.340 Extension Cords  
 270.345 Traffic Control and Parking; Spraying Livestock Trucks

## SUBPART I: MISCELLANEOUS RULES GOVERNING THE OPERATION OF THE STATE FAIR

Section  
 270.350 Pets  
 270.355 Structures of Lessee  
 270.360 Restrictions  
 270.365 Intoxicating Beverages  
 270.370 Grandstand Ticket Refunds  
 270.371 Leasing Facilities During the State Fair

SUBPART J: NON-FAIR SPACE RENTAL:  
BASIC RULES APPLICABLE TO ALL RENTALS

Section  
 270.375 Non-Fair Availability Dates  
 270.380 Application for Space  
 270.385 Reassignment  
 270.390 Compliance with State Law and Regulations  
 270.395 Removal Rights or Denial of Acceptance  
 270.400 Assigned Space  
 270.405 Inspection  
 270.410 Payment  
 270.415 Tickets  
 270.420 Facility Availability  
 270.425 Parking  
 270.430 Security  
 270.435 Fire Regulations  
 270.440 Tables and Chairs  
 270.445 Clean-Up  
 270.450 Alterations  
 270.455 Insurance  
 270.460 Discrimination  
 270.465 Camping  
 270.470 Concessions

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270.475 Delinquency  
 270.480 Gambling, Raffles, Prizes, Games of Chance, Intoxicating Beverages  
 270.485 Non-Exclusivity  
 270.490 Lessee's General Standard of Conduct  
 270.495 Criteria for Grant of Privileges  
 270.500 Waiver of Applicable Rules (Repealed)  
 270.505 Rate Schedules  
 270.510 Limit on Duration of Contract  
 270.515 Liquified Petroleum Gas

## SUBPART K: NON-FAIR CONCESSIONS

Section  
 270.520 Renter Rights (Repealed)  
 270.525 Contract  
 270.530 Interests of the Public  
 270.535 Liability  
 270.540 Health Laws  
 270.545 Rates  
 270.550 Inspection  
 270.555 Payment Due

## SUBPART L: CAMPING: NON-FAIR

Section  
 270.560 Who May Camp  
 270.565 Location  
 270.570 Fee  
 270.575 Camping Facilities  
 270.580 Slicker  
 270.585 Penalty  
 270.590 Extension Cords

## SUBPART M: HOUSE TRAILERS: NON-FAIR

Section  
 270.595 Eligibility  
 270.600 Misconduct  
 270.605 Liability  
 270.610 Rent and Rates For Other Services  
 270.615 Payment Method

SUBPART N: HORSE OR CATTLE BARN, STALL AND  
TACK ROOM RENTAL: NON-FAIR

Section  
 270.620 Rates  
 270.625 Rent Payable  
 270.630 General Stabling Rules: (Non-Contractual Events)

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270.635 Reporting  
 270.640 Lessee Collection of Fees  
 270.645 Stall Use  
 270.650 Restriction to Assigned Space  
 270.655 Trailer Storage  
 270.660 Inspection  
 270.665 Restrictions  
 270.670 Quarantine Provisions  
 270.675 Dogs  
 270.680 General Misconduct  
 270.685 Track Usage  
 270.690 Restrictions on Barn Use

**AUTHORITY:** Implementing and authorized by the State Fair Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1701 et seq.) [20 ILCS 210] (see P.A. 88-5, effective June 8, 1993); implementing Section 40.14 and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 16 and 40.14) [20 ILCS 5/16 and 40.14].

**SOURCE:** Adopted at 4 Ill. Reg. 25, p. 34, effective June 11, 1980; amended at 5 Ill. Reg. 1332, effective January 29, 1981; codified at 5 Ill. Reg. 10532; amended at 6 Ill. Reg. 8958, effective July 9, 1982; amended at 8 Ill. Reg. 6103, effective April 25, 1984; emergency amendments at 10 Ill. Reg. 13370, effective July 28, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 14282, effective August 20, 1986; amended at 10 Ill. Reg. 20468, effective November 26, 1986; amended at 11 Ill. Reg. 2228, effective January 20, 1987; amended at 15 Ill. Reg. 455, effective January 2, 1991; amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994.

## SUBPART A: DEFINITIONS: POLICY: VIOLATION

## Section 270.10 Definitions

Unless the context otherwise requires, the terms shall have the following meanings:

"Authorized vehicle" is an on-road or off-road vehicle operated by the Department of Agriculture.

"Concessionaire/Commercial Exhibitor" means any person who--makes available for the public--goods or services selling directly to the public or taking orders for future sales pursuant to an annual space rental contract.

"Division" means the Division of Fairs and Horse Racing, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62706.

"Exhibitor" means any person who displays his/her goods, displays his/her person, or distributes information and is not engaged in sales

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pursuant to an annual space rental contract, or participates in programs offered by the Department.

"Person" means any individual, partnership, corporation, association, governmental or religious entity.

"Space Rental Contract" means a written contract entered into between the person(s) desiring to put on an exhibit or operate a concession and the Department.

"Space Rental office" means the office in charge of space rental, Division of Fairs and Horse Racing, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62706 or the office in charge of space rental for the DuQuoin State Fair, Division of Fairs and Horse Racing, Department of Agriculture, Fairgrounds, DuQuoin, Illinois 62832.

"Special Agreement" means a multiple year or single year lease subject to a negotiated rate. This type of agreement would include persons building permanent structures, multiple year off season rentals, single or multiple year fair-time leases, etc.

"State Fair" means the annual event that is held at Springfield or the annual event that is held at DuQuoin for the purposes as set forth in Section 270.15.

"State Fairgrounds" means all the land and water areas, including all buildings and facilities located thereon, known as the State Fairgrounds at Springfield or DuQuoin.

"Superintendent of the Division of Fairs and Horse Racing" means the Superintendent of the Division of Fairs and Horse Racing, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62706.

(Source: Amended JUN 12 1994 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 270.15 Policy

a) It is the policy of this State that the Department operate the Illinois State Fair as a showcase for the nation and world to view Illinois agriculture, to provide for industrial, cultural, educational, trade and scientific exhibits, to promote the sport of horse racing and other competitive sports and for the entertainment and enjoyment of the people of the State of Illinois (Section 3 of the State Fair Act 7 (Ill. Rev. Stat. 1985 1991, ch. 127, par. 1703) [20 ILCS 210/3]). The annual Illinois State Fair, located at Springfield, will be held commencing on not earlier than the Thursday that is twenty-five days prior to Labor Day. The DuQuoin State Fair will be



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held commencing on not earlier than the Saturday that is nine days prior to Labor Day.

- b) The policy governing the general operation of the Illinois State Fair and the State Fairgrounds at Springfield shall be applicable to the general operation of the DuQuoin State Fair and the State Fairgrounds at DuQuoin.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

## Section 270.20 Violation of Rules; Administrative Hearings

- a) "Vendors, concessionaires, exhibitors and persons renting space or using facilities at the State Fairgrounds who violate the rules and regulations adopted by the Department to govern the operation of these activities shall be guilty of a business offense." (Section 13 of the State Fair Act (Ill. Rev. Stat. 1983 1991, ch. 127, par. 1713) [20 ILCS 210/13]).

- b) All decisions and actions of the Department are subject to the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1001-1 et seq.) [5 ILCS 100] and the Department's Administrative Rules (8 Ill. Adm. Code 1) which pertain to administrative hearings, petitions, proceedings, contested cases, declaratory rulings and availability of Department files for public access. Administrative hearings are governed by the Illinois Administrative Procedure Act and Subpart B of the Department's Administrative Rules.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

## SUBPART B: CONCESSIONS AND EXHIBITS AT THE STATE FAIR

## Section 270.35 Application for Reassignment of Space

Application for reassignment of space will be provided in the following manner:

- a) Following the close of the most recent State Fair, all concessionaires/exhibitors will be evaluated with regard to performance (i.e., payment of fees, violation of public health rules (if applicable), appearance of concession/exhibit, revenue generated, compliance with State Fair rules (Subparts A through I of this Part, as applicable), and any formal written complaints from the public arising out of the performance of activities on the fairgrounds.

- a7b) Those concessionaires/exhibitors that perform in an acceptable manner based on the criteria described in this Section shall be mailed an application to reapply for reassignment or relocation of space. An application will be mailed by the Space Rental Office to the prior year's concessionaire/exhibitor at the address on file with the Department not later than January 1 preceding that the next year's State Fair. It shall be the responsibility of each

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concessionaire/exhibitor desiring reassignment or relocation of space to return their application to the Space Rental Office no later than March February 1. Failure to receive the application for reassignment or relocation of space shall not relieve the concessionaire/exhibitor from his/her its responsibility to request reassignment or relocation of space prior to the March February 1 deadline.

- b7c) After evaluating the reapplication reapplications for space submitted pursuant to subsection (a) of this Section, by concessionaires/exhibitors of the most recent State Fair and after spaces have been assigned by the Director or a his designated representative, all new applications for space rental will be evaluated. In evaluating reapplications for space, the Department shall consider the previous performance history of the applicant with the State Fair, the payment of fees, violations of public health rules (if applicable), compliance with State Fair rules (Subparts A through I of this Part, as applicable), and complaints from the public arising out of activities on the fairgrounds.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

## Section 270.40 New Applications for Space Rental

A new application New applications for space rental to operate either a concession or exhibit shall be filed annually with the Division, the period for filing new applications shall be no earlier than September 1 and shall be accepted no later than April 1 June 30. Consideration of new New applications for space rental will be given considered after March February 1 at the close of the reapplication period. These new New applications for space rental shall be processed in the following manner:

- a) All new applications for space rental shall be sent to the Division and shall be accompanied by a photograph or drawing of the concession/exhibit, stand. If the proposed concession/exhibit should differ differs significantly from the photograph or drawing that was submitted with the application, the Department shall reserve reserves the right to reconsider the application for space. Several factors Factors that would affect the approval of the application would be physical limitations and restrictions, the general appearance of the structure, possible interference with existing structures, power sources, sewage, and water service.

- b) All new applications for space rental will be classified by the Department as a concession or as to the type of concession, exhibit that would will be operated.

- c) No application All new applications for space rental will be processed until all reassignments considered after all reapplications and relocations have been completed in accordance with pursuant to Section 270.35.

- d) All new applications for space rental will be considered on a

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~~first come basis in accordance with the date stamp of the Department indicating receipt~~ Granting of the privilege to rent space to operate a concession/exhibit shall be based on the following criteria:

- 1) the Department at all times shall attempt to promote the current theme of the State Fair;
- 2) the current number of similar concessions/exhibits or various classifications of exhibits already operating at the State Fair on the grounds;
- 3) ~~the aesthetic value and overall appearance of the Fairgrounds to the general public, including stand design, structure, the general appearance of the concession/exhibit, revenue potential to the Department, stand design, structure, sanitation requirements and physical constraints.~~

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

## Section 270.50 Reassignment of Space by Department

After a site is contracted for, there shall not be any change in location unless such change is necessary in accordance with Section 270.45 or this rule. In the event the same space is sold to two or more concessionaires/exhibitors, the space shall be reassigned in accordance with the receipt of the application as disclosed by the Department's date stamp. ~~in the event of simultaneous dates, reassignment shall be by lottery.~~ The lottery shall be conducted by the Director or a duly authorized designated representative.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

## Section 270.70 Exercising Constitutional Freedoms

~~At the request of any~~ For any person desiring to distribute information literature and/or solicit contributions on the fairgrounds in the exercise of their constitutional freedoms, the Department shall specify designate an area or areas in which the proposed activities may be conducted. All activities shall be conducted only from within, and not from without, a booth which shall be located in the area or areas as designated by the Director, or a designated representative, for such purpose. ~~in the event two or more persons seek to exercise constitutional freedoms at the same time, the Director shall apportion the available area or areas between or among them at on as equitable a basis as possible.~~ The Director may move such permitted activities from one area to another and among the different areas upon reasonable written notice to the applicant when in the judgment of the Director such move or moves are necessary to the efficient and effective operation of the State Fair. All persons requesting such space shall apply for space pursuant to Sections 270.35 and 270.40, except that the revenue generating evaluation criteria of those Sections shall not apply. Privilege granted pursuant to this Section shall be provided at no charge. The provisions of Section 270.115 relative to

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broadcasting devices shall pertain to all persons exercising their constitutional freedoms.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

## Section 270.75 Assignment of Contracts

State Fair exhibit or concession contracts or any portion thereof shall not be assigned, interest therein hypothecated or otherwise disposed of without the written consent of the Department. Obligations provided for in said contracts, including payments for space, electric service, or gas, shall remain the obligation of initial lessee, irrespective of approved subleasing or assignment otherwise provided. It is the Department's policy that contracts shall not be assigned unless death, injury or sickness of the original lessee makes an assignment necessary in order to perform the provisions of the lease for that year's fair. Approved subcontracting does not transfer any rights to reapplication to the subcontractor, and it is the policy of the Department that subcontracting is only valid for the current year's fair.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

## Section 270.85 Removal or Denial of Acceptance

- a) The Department reserves the right to deny admittance of or to remove from the State Fairgrounds any person, exhibit, animal, or concession, or show that ~~may be falsely entered or represented, or to deny acceptance of or remove from the State Fairgrounds any exhibit, animal, concession or show, or to remove any sign, banner, display material, or advertising matter if such exhibit/display is contrary to law, or in violation of the Department's valid interest in providing for the health, safety, and/or protection of the fairgoing public. Fencing shall be prohibited as provided for in Article II of the Criminal Code of 1961 (Ill. Rev. Stat. 1983, ch. 38, pars. 11-16 et seq.). Any person or persons objecting to the decision of the Department pursuant to this rule shall wait themselves of the Department's administrative procedure for contested cases if they desire to question the decision (see Section 270.20(b)). In the event that the Director or his duly authorized representative determines that immediate action as set forth above must be undertaken to protect the public from substantial injury and irreparable harm, a hearing must be scheduled for the benefit of the person against whom the action is taken, and conducted if requested, within 15 hours from the time the removal notice or denial is given:~~
- 1) is falsely entered or represented to the Department;
  - 2) is in violation of its exhibit, concessionaire, space, rental, or any other type of contract entered into with the Department for performance at the State Fair.



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- 3) is detrimental to the health, safety, or welfare of the fair-going public.
- b) The Department also reserves the right to remove any sign, banner, display or advertising material if such material is in violation of the Department's public policy as stated in Section 3 of the State Fair Act (Ill. Rev. Stat. 1991, ch. 127, par. 1703) [20 ILCS 210/31].
- c) In the event that the Director or a duly authorized representative determines that any person, exhibit, animal, concession or show should be removed from or denied acceptance to the State Fairgrounds, that decision shall be effective immediately.
- d) Any person or persons objecting to the decision of the Department pursuant to this Section may file a petition according to the Department's administrative procedure (8 Ill. Adm. Code 1.50(b)). If the Director's response pursuant to 8 Ill. Adm. Code 1.265 is that administrative proceedings should be initiated in regard to the petition, the administrative hearing shall be held within 15 hours from the time the removal notice or denial is given.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 1 2 1994.)

## Section 270.90 Concessions and Exhibits Prohibited

No roving concessions or exhibits shall be permitted. No shows or exhibitions featuring obscenity as defined in Section 11-20 of the Criminal Code of 1961 [Ill. Rev. Stat. 1983 1991, ch. 38, par. 11-20] [20 ILCS 5/11-20] will be permitted.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 1 2 1994.)

## Section 270.95 Liquefied Petroleum Gas

No liquefied petroleum gas installations will be allowed on the State Fairgrounds until the lessee has received approval from the State Fire Marshal (see 41 Ill. Adm. Code 200). This approval-in-writing-shall-be placed-on-file-in-the-Space-Rental-office-before-the-business-will-be-allowed to-open. No liquefied petroleum gas will be allowed in any State building at any time.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 1 2 1994.)

## Section 270.130 Distributing Literature or Display Advertising

A lessee may distribute literature or display advertising signs within the rented space only. Under no circumstances will any person, firm or organization be permitted to place advertising on State buildings, exterior or interior, fences, trees, or poles within the Fairgrounds. Notwithstanding anything in

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this Section, the Department has the right to place corporate sponsor's acknowledgement on buildings, fences, or poles within the fairgrounds.

## Section 270.135 Payment of Space Rental Contract

All fees for space rental shall be paid in full at-the-time upon the signing of the contract is-signed. A signed contract and full payment must be returned to the Space Rental Office prior to July 1. Failure to return said contract and fees shall make the contract void. Personal-and-company-checks will-be-accepted-as-payment-of-lessee's-space-rental-contract-up-to-sixty--(60) days--before--the-fair--after-which-time-payments-on-contracts-must-be-in-cash money-order--certified-or-cashier's-check. Payment of fees shall be in the form of cash, a money order, or a certified, cashier, or company check. No personal checks will be accepted.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 1 2 1994.)

## Section 270.140 Operational Hours

All exhibits and concessions shall be ready in Springfield by 8:00 a.m. and in DuQuoin by 10:00 a.m. on the opening day of the annual State Fair. Buildings shall be open at 9:00 a.m. and shall close at 10:00 9:00 p.m. daily. If the situation warrants an earlier closing (e.g., electrical failure, natural disaster, adverse weather conditions), it may be allowed but permission to do so must be granted by the Superintendent of the Division or a duly authorized representative. Concessions--and-exhibits-shall-operate-as-set-forth-in-their concession-and/or-exhibit-contract.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 1 2 1994.)

## Section 270.150 Sales During the State Fair

For those persons subject to a percentage rental contract, the State of Illinois shall be entitled to a percent of all gross sales during the State Fair. The percentage rate shall be subject to a negotiated written contract between the concessionaire and the Department. The percentage rate in the contract shall be based on the following factors: cost of operation of the concession, profit margin, anticipated gross revenue of the concessionaire, previous experience, selling price, and other factors which could influence the negotiated rate. in-no-case-shall-the-percentage-rate-be-less-than-15%-of-the gross-sales.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 1 2 1994.)

Section 270.165 Gambling, Raffles, Prizes, Games of Chance, Intoxicating Beverages

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- a) No REVING oving gambling, games of chance or skill, raffles, selling tickets or taking donations on a chance to win a prize will be permitted.
- b) The lessee will neither use nor permit to be used any games of chance or skill, raffles, selling tickets, taking donations, gambling devices, or intoxicating beverages, unless approved in writing by the Superintendent of the Division. Such approval shall be granted if the lessee's activities are not prohibited by Article 28 of the Criminal Code of 1961 (Ill. Rev. Stat. 1983 1991, ch. 38, pars. 28-1 et seq.) 1/20 ILCS 5/Art. 28] and if the lessee agrees to abide by subsection (c) of this Section. A raffle means when a person purchases a ticket for the purpose of winning a specific item. A drawing means when a person is entitled to win a specific item without purchasing a ticket for such purpose.
- c) The lessee shall abide by the following requirements when permitted to solicit at the State Fair for prizes to be given through drawings:
- 1) The drawing(s) and solicitation must be approved in advance of the starting of the State Fair by the Superintendent of the Division or a duly authorized representative. Approval of the drawing time, place and date will be based on the fact that there is no conflict with nor a detrimental effect on other events or exhibits.
  - 2) The prize(s) shall be on display the entire length of the State Fair.
  - 3) The date and time of the drawing shall be advertised in advance so the participants and other interested persons may witness the drawing.
  - 4) In the event of inquiry by the public, the Department shall require the lessee who held the drawing(s) to furnish to the Space Rental Office, the name, address, and telephone number of the winner(s).

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective  
JUN 1 2 1994)

## Section 270.170 Inside Exhibits

Inside exhibits shall not exceed 8 feet in height, on back wall. Booth side walls or wings from the center of the booth to the aisle shall not exceed 3 feet in height.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective  
JUN 1 2 1994)

## Section 270.180 Clean-up

All dining halls, lunch booths, refreshment pavilions or other stands shall be substantial in structure and neat in appearance (e.g., wood or metal frame, paneled, painted or decorated). Only paper cups will be used. No styrofoam

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~~cups will be allowed.~~ The Department shall be responsible for cleaning aisles for pedestrian traffic in all buildings. A lessee is responsible for keeping the area contracted for in a neat, clean and orderly manner. The Department shall contract for clean-up services and bill the lessee who fails to perform this service. The Department shall not issue a release of the lessee's property until all charges are paid.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective  
JUN 1 2 1994)

## Section 270.190 Food and/or Drink Service Operations

Food and/or drink stands and dining halls shall comply with the Illinois Food, Drug and Cosmetic Act (Ill. Rev. Stat. 1983 1991, ch. 56 1/2, pars. 501 et seq.) [410 ILCS 620], "An Act to prevent the preparation, manufacture, packing, storing, or distributing of food intended for sale, or sale of food, under insanitary, unhealthful, or unclean conditions, or surroundings, to create a sanitary inspection, to declare that such conditions shall constitute a nuisance, and to provide for the enforcement thereof" [the Sanitary Food Preparation Act (Ill. Rev. Stat. 1983 1991, ch. 56 1/2, par. 67 et seq.) [410 ILCS 650], and the rules relating to Food Service Sanitation (77 Ill. Adm. Code 750) as enforced by the Department of Public Health.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective  
JUN 1 2 1994)

## Section 270.205 Liability

The Department shall not be responsible or liable for any damage or loss of property or for any personal injury or death of any employee, agent or servant of the lessee during the period that the lessee is located upon the premises of the State Fairgrounds while engaged in the performance of the contract. The lessee shall agree to provide Workers' Compensation Insurance as required by the Workers' Compensation Act (Ill. Rev. Stat. 1983 1991, ch. 48, par. 138.1 et seq.) [820 ILCS 305].

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective  
JUN 1 2 1994)

## Section 270.210 Concessionaire's or Exhibitor's Trailers

- a) Springfield State Fair:  
A trailer used for storage of supplies or as an office, with a direct relationship to a specific exhibit or concession, will be assigned to a vendor supply vehicle storage area. All living units will be located in the regular campground at the appropriate fee. All storage vehicles must be properly identified with a paid supply vehicle sticker.
- b) DuQuoin State Fair:



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A trailer used for storage of supplies, as an office, or for camping, with a direct relationship to a specific exhibit or concession, will be allowed to park at the rear of said exhibit or concession only when:

- a) it is out of public view;
- b) it is located within the limits of leased space as provided for in the contract;
- c) it does not infringe upon parking or access areas; and
- d) it is properly identified with a paid supply sticker.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

**Section 270.221 Emergency Closing**

In emergency circumstances, the State Fair Manager reserves the right to close concessions and limit operations when such actions are deemed necessary for the public health, safety, or welfare.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

## SUBPART C: HORSE RACING AT THE STATE FAIR

**Section 270.230 State Fair Colt Stakes Races**

The State Fair Colt Stakes and all races to be run thereunder shall be run in accordance with the Department's rules (8 Ill. Adm. Code 290.110) relating to Section 31 of the Illinois Standardbred and Thoroughbred Breeding and Racing Programs promulgated pursuant to the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1989 1991, ch. 8, par. 37-31) [230 ILCS 5/31].

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

**Section 270.235 Review Futurity Races**

The Department shall contract on-or-before-duty-i each year with the Review Futurity Association for said association's management and supervision of all races in the Review Futurity. Copies of the contract between the Department and the Review Futurity Association shall be available upon written or oral request from the Division.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

**Section 270.240 Illinois Trotting and Pacing Colt Races**

The Department shall contract on-or-before-duty-i each year with the Illinois

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Trotting and Pacing Colt Association for the association's management and supervision of all races in the Illinois Trotting and Pacing category. Copies of the contract between the Department and the Illinois Trotting and Pacing Colt Association shall be available upon written or oral request from the Division.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

**Section 270.245 Quarter Horse Races**

The Department shall contract on-or-before-duty-i each year with the Illinois Quarter Horse Association for the Association's management and supervision of Quarter Horse racing. Copies of the contract between the Department and the Illinois Quarter Horse Association shall be available upon written or oral request from the Division.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

## SUBPART D: PREMIUMS AND RULES GOVERNING EXHIBITS OR EVENTS

**Section 270.261 Land of Lincoln Breeders Awards for Purebred or Registered Livestock**

- a) In accordance with the provisions of Section 11.1 of Act, the percentage of the appropriation made for the Land of Lincoln Breeders Awards for Purebred or Registered Livestock for each class or show shall be as follows:
- 1) Junior Livestock Show ..... 16 2/3%
  - 2) Beef Cattle ..... 19%
  - 3) Dairy Cattle ..... 19%
  - 4) Swine ..... 16 2/3%
  - 5) Sheep ..... 2/3%
  - 6) Goats ..... 16%
  - 7) Light Horses and Ponies ..... 16%
  - 8) Heavy Horses ..... 1 1/3%
- b) The Department shall establish and promote contests and exhibitions of various classes of livestock to be known as The "Land of Lincoln Breeders Awards for the Purebred or Registered Livestock." Only animals bred, born and maintained in Illinois and owned and exhibited by Illinois residents shall be eligible to part in such contests and exhibitions; however, such animals shall be permitted out of this State for a reasonable period of time for showings, exhibitions, breeding or reproductive purposes, or medical treatment (Section 11.1 of the State Fair Act [Ill. Rev. Stat. 1989 1991], ch. 127, par. 1711.1) [20 ILCS 210/11.1]. For the purposes of determining compliance with this Section, a reasonable period of time for permitting animals to be out of the State for showings, exhibitions,

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breeding, reproductive purposes or medical treatment shall be a maximum of 90 days during a fiscal year (July 1 through June 30).

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 1 2 1994 )

## SUBPART F: CERTIFICATES OF AWARD: STATE FAIR

## Section 270.280 Certificates, Ribbons and Trophies

Certificates of awards, including but not limited to ribbons and trophies, shall be purchased by the Department through competitive bidding in accordance with the Illinois Purchasing Act (Ill. Rev. Stat. 1983 1991, ch. 127, pars. 132.1 et seq.) [30 ILCS 505] and the rules promulgated under the authority of the Illinois Purchasing Act by the Department of Central Management Services. This rule shall not be deemed to prohibit or limit the right of any association which governs an exhibit or racing area from presenting its own trophies or awards to participants in such exhibits or racing.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 1 2 1994 )

SUBPART H: TRAFFIC CONTROL, PARKING AND CAMPING:  
STATE FAIR

## Section 270.320 Camping Location

Overnight camping for campers, trailers, goosenecks or tents shall be allowed in camping area(s) as may be designated from time to time by the Department. Camping is restricted to designated area(s) only unless the camper or trailer can meet the provisions of section 270.210(b).

SUBPART I: MISCELLANEOUS RULES GOVERNING THE OPERATION OF  
THE STATE FAIR

## Section 270.365 Intoxicating Beverages

The Department shall enter into a Space Rental contract with a concessionaire(s) for the rental of space for the sole purpose of selling beer on the State Fairgrounds. The Department reserves the right to assign the area of concession as previously stated in Sections 270.35 and 270.40. It is mutually agreed that the concessionaire(s) must comply with "An Act relating to alcoholic-liquors" the Liquor Control Act of 1934 (Ill. Rev. Stat. 1983 1991, ch. 43, pars. 94 93.9 et seq.) [235 ILCS 5] concerning the selling of intoxicating beverages. Granting of this privilege is in no way to be construed to restrict or prohibit any distributor of beer from engaging in sales to the concessionaire(s) granted the privilege to sell beer under this rule.

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(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 1 2 1994 )

## Section 270.371 Leasing Facilities During the State Fair

The Department has the right to lease various facilities during the Illinois State Fair. This lease shall be subject to a negotiated rate and shall be a special agreement. In evaluating the leasing arrangement, the Department shall consider one or more of the following criteria in determining whether to grant a privilege to a prospective lessee:

- a) The availability of the physical plant or plants on the Fairgrounds, taking into consideration the priority of preparation for the actual holding of the State Fair and the priority granted to long term tenants or users of the premises;
- b) The physical limitations and availability of space when considered in conjunction with the proposed usage and number of participants, expected visitors or patrons to the event conducted by the lessee;
- c) The security of both the physical premises and persons upon the premises of the Fairgrounds;
- d) The costs and expenses ultimately incurred by the Department in providing security for any operations of lessee;
- e) Reasonably foreseeable problems with security caused by either the nature of the usage or the identity of the proposed lessee or his patrons;
- f) A major consideration will be the potential profit to be derived after examination of revenues versus expenses by the Department, including any budgetary constraints on the Department;
- g) The welfare of the general community;
- h) The public service to the general community offered by the proposed usage;
- i) The financial responsibility of the proposed lessee and his/her ability to provide any special requirements that may be necessary to insure the safe, healthy and efficient usage of the premises;
- j) The legality of the proposed use of the premises;
- k) Prior experience either with a specific lessee or a specific usage to the extent that such prior experience illustrates a failure, refusal or inability of the proposed lessee to comply with the rules of this Part and/or the prior experience with a particular usage to the extent such usage results in violation of the rules of this Part or affects the general good and welfare of the Department;
- l) The safety of the public and participants and of any equipment proposed to be used by lessee;
- m) The reputation of the proposed lessee in both the local community and/or in the service or trade community in which he/she does business.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 1 2 1994 )



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SUBPART J: NON-FAIR SPACE RENTAL:  
BASIC RULES APPLICABLE TO ALL RENTALS

**Section 270.395 Removal Rights or Denial of Acceptance**

- a) The Department reserves the right to deny admittance of or to cause to be removed from the State Fairgrounds, any person, exhibit, animal, concession or show that may be falsely represented or to deny acceptance of or to cause to be removed from the State Fairgrounds any sign, banner, display material or advertising matter if such exhibit/display material or advertising matter is contrary to law, or in violation of the Department's valid interest in providing for the health, safety and/or protection of the public.
- b) Pandering shall be prohibited as provided for in Article 11 of the Criminal Code of 1961 (Ill. Rev. Stat. 1983 1991, ch. 38, pars. 11-16 et seq.) [720 ILCS 5/Art. 11]. Any person or persons objecting to the decision of the Department pursuant to this rule shall avail themselves of the Department's administrative procedure for contested cases if they desire to question the decision. In the event that the Director or his duly authorized representative determines that immediate action as set forth above must be undertaken to protect the public from substantial injury and irreparable harm, a hearing (see Section 270.20(b)) must be scheduled for the benefit of the person against whom the action is taken and a hearing conducted within 15 hours from the time the removal notice or denial is given.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

**Section 270.480 Gambling, Raffles, Prizes, Games of Chance, Intoxicating Beverages**

- a) The lessee will neither use nor permit to be used any games of chance or skill, raffles, selling tickets, taking donations or gambling devices unless approved by the Superintendent of the Division. Approval shall be granted if it is not prohibited by Article 28 of the Criminal Code of 1961 (Ill. Rev. Stat. 1983 1991, ch. 38, pars. 28-1 et seq.) [720 ILCS 5/Art. 28] and if the lessee agrees to comply with Subpart J of the rules of this Part and with subsection (b) of this Section.

- b) The lessee shall abide by the following requirements when permitted to solicit on the State Fairgrounds for prizes to be given through drawings:

- 1) The drawing(s) and solicitation must be approved by the Superintendent of the Division or a duly authorized representative and so stated on the contract. Approval of the drawing time, place and date will be based on the fact that there is no conflict with or detrimental effect on other events or exhibits.

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- 2) The prize(s) shall be on display for the entire length of contracted event.
- 3) The date and time of the drawing shall be advertised in advance so the participants and other interested persons may witness the drawing.
- 4) When requested by the public, the Department shall request the lessee who held the drawing(s) to furnish to the Space Rental Office, the name, address and telephone number of the winner(s).
- c) The space rental contract shall state if any intoxicating beverages are to be present at the event. No intoxicating beverages shall be dispensed or consumed, unless in accordance with "An Act in relation to alcoholic liquors," the Liquor Control Act of 1934.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

**Section 270.510 Limit on Duration of Contract**

No space rental commitment will be considered nor any annual exhibitor contract entered into in excess of one year from the date of the proposed usage. Notwithstanding anything in this Section, the Department reserves the right to enter into multiple year special agreements pursuant to a negotiated rate for concession or exhibits.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

## SUBPART K: NON-FAIR CONCESSIONS

**Section 270.540 Health Laws**

All food and/or drink stands and concessions must be operated in compliance with the Illinois Food, Drug and Cosmetic Act (Ill. Rev. Stat. 1983 1991, ch. 56 1/2, par. 501 et seq.) [410 ILCS 620], "An Act to prevent the preparation or manufacture, packing, storing, or distributing of food intended for sale or sale of food, under insanitary, unhealthful or unclean conditions or surroundings, to create a sanitary inspection, to declare that such conditions shall constitute a nuisance, and to provide for the enforcement thereof" the Sanitary Food Preparation Act (Ill. Rev. Stat. 1983 1991, ch. 56 1/2, par. 67 et seq.) [410 ILCS 650], and the rules relating to Food Service Sanitation (77 Ill. Adm. Code 750) enforced by the Illinois Department of Public Health. If a concession is closed by the Department of Public Health, the lessee shall have no refund due from the Department of Agriculture.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective JUN 12 1994)

SUBPART N: HORSE OR CATTLE BARN, SWALL AND  
TACK ROOM RENTAL: NON-FAIR

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## Section 270.625 Rent Payable

- a) Contract payments are payable to the Space Rental Office according to the following schedule:
- 1) Any barn or stall rental of 7 days or more is payable in advance by the first working day of each month.
  - 2) Barn or stall rental of 6 days or less (for transient horses) is payable in advance at the time of arrival on the Fairgrounds.
  - 3) Horse Show/Sale or Cattle Show/Sale barn or stall rental is payable no later than three days following the event.
- b) Any additions to the number of rented stalls or tack rooms during the period of any agreement will be charged as set forth in the Space Rental Fee Schedule. Payment for succeeding months will be made on the first working day of each month and acceptance of payment by the Department will constitute the renewal of the contract with the lessee. The Department is not obligated to accept such payment, and may thus refuse to renew the lease at the end of any month in accordance with provisions of Section 270.495. Lack of a lease is grounds for removal from assigned space and the Illinois State Fairgrounds in conformance with the Article IX of the Code of Civil Procedure (Forcible Entry and Detainer) Act (Ill. Rev. Stat. 1993 1991, ch. 57 110, par. 1 9-101 et seq.) [735 ILCS 5/Art. IX], or other applicable laws of the State of Illinois.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective  
JUN 12 1994 )

## Section 270.685 Track Usage

The use of the Coliseum and track(s) is not a guaranteed condition of any contract. The Department will make every effort to keep all facilities in usable condition. Only horses in the barns in the northeast corner of the grounds north of the poultry building and west and south of the trailer park will be permitted to use the mile track or the cinder half mile track. Riding or leading horses on streets except in route to a practice area is prohibited. Only authorized vehicles shall be permitted on the track. Vehicles operated by non-Department personnel must obtain permission from either the Superintendent of ~~the Division of Administrative Services~~ or the Division of Fairs and Horse Racing, or their a duly authorized representative, to operate a vehicle on the track. Unauthorized vehicles on the track will be cause for cancellation of a contract or lease.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective  
JUN 12 1994 )

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## NOTICE OF ADOPTED RULES

- 1) The Heading of the Part: Clean Air Act Permit Program Procedures

2) Code Citation: 35 Ill. Adm. Code 270

3) Section Numbers: Adopted Action:

270.101	New
270.102	New
270.103	New
270.104	New
270.105	New
270.106	New
270.107	New
270.108	New
270.201	New
270.202	New
270.301	New
270.302	New
270.303	New
270.304	New
270.305	New
270.306	New
270.307	New
270.308	New
270.401	New
270.402	New
270.403	New
270.404	New
270.405	New
270.406	New
270.407	New
270.408	New
270.409	New
270.410	New
270.411	New
270.412	New
270.413	New
270.501	New
270.502	New
270.503	New
270.504	New
270.601	New
270.602	New
270.603	New
270.604	New
270.605	New
270.606	New



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270.607  
270.608  
270.609

New  
New  
New

## 4) Statutory Authority:

Implementing and authorized by Section 39.5 of the Environmental Protection Act (P.A. 87-1213, effective September 26, 1992, amended by P.A. 88-464, effective August 20, 1993) [415 ILCS 5/39.5].

## 5) Effective Date of Rule(s) (Amendments, Repealer): JUN 14 1994

6) Does this rulemaking contain an automatic repeal date? Yes X No     

If so, please specify date:                     

7) Does this rule (amendment, repealer) contain incorporation by reference? Yes     

If "yes," was a copy of the approval form issued by JCAR attached to this rulemaking? No, but it was approved in September, 1993.

## 8) Dated Filed in Agency's Principal Office: June 6, 1994

## 9) Notice(s) of Proposal Published in Illinois register:

October 8, 1993, 17 Ill. Reg. 16325  
(issue date)

## 10) Has JCAR issued a Statement of Objections to this (these) rule(s)? If answer is "yes," please complete the following:

A) Statement of Objection:                     , Ill. Reg.                       
(issue date)

B) Agency Response:                     , Ill. Reg.                       
(issue date)

## C) Date Agency Response Submitted for Approval to JCAR:

## 11) Difference(s) between proposal and final version:

NOTE: Changes from first notice indicated by strikeouts and underlines and discussed in attached Responsiveness Summary.

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AUTHORITY: Implementing and authorized by Section 39.5 of the Environmental Protection Act (See P.A. 87-1213, effective September 26, 1992, amended by P.A. 88-464, effective August 20, 1993) [415 ILCS 5/39.5].

SOURCE: Adopted ~~that~~ that Ill. Reg.     , effective JUN 14 1994

Section 270.101 Purpose

This Part provides procedural rules to implement Section 39.5 of the Environmental Protection Act (See P.A. 87-1213, effective September 26, 1992, amended by P.A. 88-464, effective August 20, 1993) [415 ILCS 5/39.5] ("Act"), the permit program established for this State pursuant to Title V of the Clean Air Act as amended (42 U.S.C. §7401 et seq.).

Section 270.103 Existing CAAPP ~~source~~

"Existing CAAPP source" means a CAAPP source that commenced operation prior to the effective date of the CAAPP.

Section 270.104 Initial CAAPP ~~a~~Application

"Initial CAAPP application" means the first CAAPP application submitted for an existing CAAPP source.

Section 270.105 New CAAPP ~~a~~Source

"New CAAPP source" means a CAAPP source that is not an existing CAAPP source.

Section 270.201 Schedule for Submission of Initial CAAPP Applications for Existing CAAPP Sources

An owner or operator of an existing CAAPP source shall submit to the Agency a complete initial CAAPP application for the source no later than the applicable date specified in the following table below:

- a) An owner or operator of a CAAPP source with the following SIC codes shall submit its initial complete CAAPP application no later than 3 months after the effective date of the CAAPP: 70, 80, 82, 92, and 97 (institutions); 44, 50, and 51 (material handling); 10, 12, and 14 (mining); and 2951 (asphalt plants).
- b) An owner or operator of a CAAPP source with the

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following SIC codes shall submit its initial complete CAAPP application no later than 6 months after the effective date of the CAAPP: 26 (paper and allied products); 27 (printing and publishing); 46, ~~492~~, 494, and 495 (pipelines and utilities other than natural gas pipelines); 491 and 493 (electric utilities); and 32 (mineral products).<sup>1</sup>

- c) An owner or operator of a CAAPP source not included in (a) or (b) above or (d) below shall submit its initial complete CAAPP application no later than 9 months after the effective date of the CAAPP; and
- d) An owner or operator of a CAAPP source with the following SIC codes shall submit its initial complete CAAPP application not later than 12 months after the effective date of the CAAPP: 20 (agricultural products); 28 (chemicals); 29 (petroleum refining not including 2951); 33 (iron and steel products); and 37 (transportation equipment).

#### Section 270.202 Transition from the State Operating Permit Program

- a) AN OWNER OR OPERATOR OF A CAAPP SOURCE SHALL NOT BE REQUIRED TO RENEW AN EXISTING STATE OPERATING PERMIT FOR ANY EMISSION UNIT AT SUCH CAAPP SOURCE ONCE A CAAPP APPLICATION TIMELY SUBMITTED PRIOR TO THE EXPIRATION OF THE STATE OPERATING PERMIT HAS BEEN DEEMED COMPLETE. FOR PURPOSES OTHER THAN PERMIT RENEWAL, THE OBLIGATION UPON THE OWNER OR OPERATOR OF A CAAPP SOURCE TO OBTAIN A STATE OPERATING PERMIT IS NOT REMOVED UPON SUBMITTAL OF A COMPLETE CAAPP APPLICATION. AN OWNER OR OPERATOR OF A CAAPP SOURCE SEEKING TO MAKE A MODIFICATION TO A SOURCE PRIOR TO THE ISSUANCE OF ITS CAAPP PERMIT SHALL BE REQUIRED TO OBTAIN A CONSTRUCTION AND/OR OPERATING PERMIT AS REQUIRED FOR SUCH MODIFICATION IN ACCORDANCE WITH THE STATE PERMIT PROGRAM UNDER SECTION 39(a) OF THE ACT, AS AMENDED, AND REGULATIONS PROMULGATED THEREUNDER. THE APPLICATION FOR SUCH CONSTRUCTION AND/OR OPERATING PERMIT SHALL BE CONSIDERED AN AMENDMENT TO THE CAAPP APPLICATION SUBMITTED FOR SUCH SOURCE. (See Section 39.5(4)(a) of the Act).

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- b) AN OWNER OR OPERATOR OF A CAAPP SOURCE SHALL CONTINUE TO OPERATE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF ITS APPLICABLE STATE OPERATING PERMIT NOTWITHSTANDING THE EXPIRATION OF THE STATE OPERATING PERMIT UNTIL THE SOURCE'S CAAPP PERMIT HAS BEEN ISSUED. (See Section 39.5 (4) (b) of the Act).

- c) THE CAAPP PERMIT SHALL, UPON BECOMING EFFECTIVE, SUPERSEDE THE STATE OPERATING PERMIT. (See Section 39.5(4)(g) of the Act).

#### Section 270.301 Application Submittal

- b) ~~In order for a submittal to be deemed timely, an owner or operator of a new CAAPP source shall submit to the Agency a complete CAAPP application as follows:~~

- 1) ~~For a new CAAPP source that begins operation within 12 months after the effective date of the CAAPP, a complete CAAPP application shall be submitted by the earlier of:~~

- A) ~~3 months after the source begins operation; or~~

- B) ~~12 months after the effective date of the CAAPP.~~

- 2) ~~For a new CAAPP source that begins operation more than 12 months after the effective date of the CAAPP, a complete CAAPP application shall be submitted in accordance with the following:~~

- A) ~~If the source becomes subject to Section 39.5 of the Act as a result of a regulatory change, including a change in attainment status, nonattainment classification, or applicability criteria for a pollutant, a CAAPP application shall be submitted in accordance with the deadlines set forth in the applicable regulation or, if not specified, not later than 12 months after the date the regulatory change is finally promulgated.~~



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~~B) If the source is a major new source for which a permit has been issued under the federal rules for prevention of Significant Deterioration (PSD), 40 CFR 52.21, or under the New Source Review rules at 35 Ill. Adm. Code 203, a complete CAAPP application shall be submitted not later than 12 months after the source begins operation, or~~

~~C) For any other new CAAPP source, a complete CAAPP application shall be submitted at least 12 months prior to commencing operation of such source.~~

b) THE OWNER OR OPERATOR OF A NEW CAAPP SOURCE SHALL SUBMIT ITS COMPLETE CAAPP APPLICATION CONSISTENT WITH SECTION 39.5(5) OF THE ACT.

d) In order for a submittal to be deemed timely, an owner or operator of a CAAPP source shall submit to the Agency a complete CAAPP application for the renewal of a CAAPP permit not later than 9 months before the date of permit expiration of the existing CAAPP permit.

Section 270.302 Application Submittal for Modifications of CAAPP Permits

a) A complete application for a significant modification of a CAAPP permit shall be submitted to the Agency not later than 9 months prior to the date of implementation of the proposed change. The proposed change may be implemented as soon as the Agency has taken final action to approve the change.

Section 270.303 Agency Determination of Completeness

b) THE AGENCY SHALL PROVIDE NOTICE TO A CAAPP APPLICANT AS TO WHETHER A SUBMITTED CAAPP APPLICATION IS COMPLETE. UNLESS THE AGENCY NOTIFIES THE APPLICANT OF INCOMPLETENESS WITHIN 60 DAYS OF RECEIPT OF THE CAAPP APPLICATION, THE APPLICATION SHALL BE DEEMED COMPLETE. (See Section 39.5(5)(f) of the Act)

c) Where an applicant is proposing in its CAAPP

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application that an activity at the source be treated as an insignificant activity, the Agency will make its completeness determination in accordance with subsection (a) above. If the Agency requests any additional information regarding the proposed insignificant activity, such information shall be provided in accordance with Section 270.305 of this Part.

Section 270.304 Effect of a Timely and Complete Application Submittal

a) ~~Except as provided in subsection (b) below, a~~ An owner or operator of a CAAPP source shall not be in violation of the requirement to have a CAAPP permit under Section 39.5 of the Act if such owner or operator has submitted a timely and complete CAAPP application, until the Agency takes final action on the CAAPP application except as provided in subsection (b) below.

b) If the owner or operator of a CAAPP source fails to submit additional information requested by the Agency by the reasonable deadline specified pursuant to Section 270.305 of this Part, the owner or operator ~~shall be in violation of the requirement to have a CAAPP permit under Section 39.5 of the Act~~ shall lose the protection provided in subsection(a) above.

Section 270.305 Subsequent Agency Request for Information

a) THE AGENCY MAY REQUEST ADDITIONAL INFORMATION AS NEEDED TO MAKE A COMPLETENESS DETERMINATION. THE AGENCY MAY TO THE EXTENT PRACTICABLE PROVIDE THE APPLICANT WITH A REASONABLE OPPORTUNITY TO CORRECT DEFICIENCIES PRIOR TO A FINAL DETERMINATION OF COMPLETENESS. (See Section 39.5(5)(f) of the Act)

Section 270.306 Submittal of New or Revised Information

ANY APPLICANT WHO FAILS TO SUBMIT ANY RELEVANT FACTS NECESSARY TO EVALUATE THE SUBJECT SOURCE AND ITS CAAPP APPLICATION OR WHO HAS SUBMITTED INCORRECT INFORMATION IN A CAAPP APPLICATION SHALL, UPON BECOMING AWARE OF SUCH FAILURE OR INCORRECT SUBMITTAL, SUBMIT SUPPLEMENTARY FACTS OR CORRECT INFORMATION TO THE AGENCY. IN ADDITION, AN

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APPLICANT SHALL PROVIDE TO THE AGENCY ADDITIONAL INFORMATION AS NECESSARY TO ADDRESS ANY REQUIREMENTS WHICH BECOME APPLICABLE TO THE SOURCE SUBSEQUENT TO THE DATE THE APPLICANT SUBMITTED ITS COMPLETE CAAPP APPLICATION BUT PRIOR TO RELEASE OF THE DRAFT CAAPP PERMIT. (See Section 39.5(5)(i) of the Act)

## Section 270.307 Agency Action on CAAPP Applications

- a) In accordance with Section 39.5(10) of the Act, THE AGENCY SHALL ISSUE OR DENY THE CAAPP PERMIT WITHIN 18 MONTHS AFTER THE DATE OF RECEIPT OF THE COMPLETE CAAPP APPLICATION, WITH THE FOLLOWING EXCEPTIONS,
  - 3) THE AGENCY SHALL ACT ON COMPLETE APPLICATIONS CONTAINING EARLY REDUCTION DEMONSTRATIONS UNDER SECTION 112(i) (5) OF THE CLEAN AIR ACT WITHIN 9 MONTHS OF RECEIPT OF THE COMPLETE CAAPP APPLICATION. (See Section 39.5(5)(i) of the Act)
  - b) WHERE THE AGENCY DOES NOT TAKE FINAL ACTION ON THE PERMIT WITHIN THE REQUIRED TIME PERIOD, THE PERMIT SHALL NOT BE DEEMED ISSUED; RATHER, THE FAILURE TO ACT SHALL BE TREATED AS A FINAL PERMIT ACTION FOR PURPOSES OF JUDICIAL REVIEW PURSUANT TO SECTIONS 40.2 AND 41 OF THE ACT. (See Section 39.5(5)(i) of the Act)

## Section 270.308 Requests for Exclusion from the CAAPP Due to Permanent Physical Constraints

The owner or operator of a CAAPP source that has been issued a CAAPP permit and that has reduced its potential to emit to a level below the major source threshold for each air pollutant emitted at the source, as defined in Section 39.5(2) of the Act, may seek exclusion from the CAAPP. The owner or operator of the source must request this exclusion from the Agency and demonstrate that the source's potential to emit has been reduced to a level below the major source threshold for each air pollutant emitted due to permanent physical constraints.

## Section 270.401 General Application Information

- c) In accordance with Section 39.5(5)(c) of the Act, ~~a~~ CAAPP application shall contain all

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information sufficient to evaluate the subject source and its application, to determine all applicable requirements, including establishing the basis for fees, and to evaluate compliance of the subject source with these applicable requirements.

- d) Information, as specified in Section 270.402 (excluding Section 207.402(a)) through Section 270.405 of this Part, is not required to be submitted for insignificant activities or emission levels at the source, as defined by applicable Board regulations, provided a list of such activities or emission levels is submitted in the application identifying the particular definition under which each listed activity or emission level qualifies as insignificant and accompanied by a certification that all listed activities and emission levels qualify as insignificant, unless additional information is requested by the Agency.
- e) A CAAPP application in which the owner or operator of a CAAPP source is seeking an alternative emission limit to that contained in the applicable Board regulations shall include a showing that the applicable Board regulation and State Implementation Plan adopted by USEPA allow for such an alternative emission limit to be set by the Agency in a permit and shall demonstrate that the proposed limit is equivalent to the applicable Board regulation.
- ef) A CAAPP application shall contain a certification by a responsible official that, based on information and belief formed by the responsible official after reasonable inquiry, the statements and information in the application are true, accurate, and complete. This certification shall be dated and signed by the responsible official.
- fg) AN OWNER OR OPERATOR OF A CAAPP SOURCE WHICH SEEKS EXCLUSION FROM THE CAAPP THROUGH THE IMPOSITION OF FEDERALLY ENFORCEABLE CONDITIONS, limiting the potential to emit of the source to a level below the major source threshold as described in Section 39.5(2)(c) of the Act, MUST REQUEST SUCH EXCLUSION WITHIN A CAAPP APPLICATION SUBMITTED CONSISTENT WITH THIS Part ON OR AFTER THE DATE THAT THE CAAPP



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APPLICATION FOR THE SOURCE IS DUE. PRIOR TO SUCH DATE, BUT IN NO CASE LATER BUT IN NO CASE LATER THAN NINE MONTHS AFTER THE EFFECTIVE DATE OF THE MONTHS AFTER THE EFFECTIVE DATE OF THE CAAPP, SUCH OWNER OR OPERATOR MAY REQUEST THE IMPOSITION OF FEDERALLY ENFORCEABLE CONDITIONS PURSUANT TO Section 39.5(1.1)(b) of the Act. (See Section 39.5(5)(u) of the Act)

- g) Notwithstanding other provisions of this Subpart, once the Agency has issued a general permit for a source category, the Agency may waive the requirement for submittal of particular information in subsequent applications for coverage under such general permit, provided that such applications meet all requirements of Title V of the Clean Air Act and include all information necessary to determine qualification for and to assure compliance with the general permit.

(Note: To determine whether data and calculations for emissions of hazardous air pollutants listed in Section 112(b) of the Clean Air Act must be included in the CAAPP application, see 35 Ill. Adm. Code 201 Subpart F.)

#### Section 270.403 Information for Individual Emission Units

- d) Identification and description of compliance monitoring devices or activities, including recordkeeping and reporting activities to the extent that they are air emissions related;
- h) To the extent they are related to air emissions, fuels and raw materials used, maximum and typical fuel use, raw material use rates, production rates and operating schedules, characteristics of fuels or raw materials and material balance information to the extent they are air emissions related and the calculations on which this information is based;
- i) To the extent that they are related to the determination of air emissions or compliance with applicable requirements, identification and description of air pollution control equipment and control methods and information describing their

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effectiveness, including operating parameters or pollutant reduction efficiencies during maximum and typical operation of associated emission units, and the calculations on which the information is based;

- j) Identification and description of pollutant exhaust points, including discharge heights, stack parameters for each stack, such as flow rates, exhaust temperature, and stack diameter, and other exhaust point information required by applicable rules to demonstrate compliance;

#### Section 270.404 Compliance Plan/Schedule of Compliance

- a) A description of the compliance status of all emission units at the source with respect to all applicable requirements as follows:
- 3) For applicable requirements with which the source is not in compliance at the time of application submittal but will be in compliance with prior to permit issuance, a statement that the source will achieve compliance prior to permit issuance and will continue to comply with such requirements during the permit term; and
- 4) For applicable requirements with which the source is not in compliance at the time of application submittal and will not be in compliance with at the time of permit issuance, a narrative description of how the source will achieve compliance with such requirements;
- b) A compliance plan/schedule of compliance addendum for emission units described in subsection (a)(4) above that includes a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any such applicable requirements for which the source will be in noncompliance at the time of application submittal. This compliance plan/schedule of compliance addendum shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the source is

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subject:

## Section 270.408 Malfunction or Breakdown

A request to continue to operate an emission unit in excess of the standards or limitations of Subchapter c of Chapter I of the Board's Air Pollution regulations (35 Ill. Adm. Code 212 et seq.) during a malfunction or breakdown of the emission unit or related air pollution control equipment, if desired, must be contained in the CAAPP application and shall include, at a minimum, a detailed explanation of why such continued operation will be necessary; the nature of any anticipated malfunction or breakdown; emission points and quantities of emissions which will occur during such continued operation; the anticipated length of time during which such operation will continue; all measures, such as use of off-shift labor or equipment, which will be taken to minimize the quantity of air contaminant emissions and length of time during which such operation will continue; and the calculations used to determine the above information. The Agency may grant permission to operate during a malfunction or breakdown in accordance with 35 Ill. Adm. Code 201.262.

## Section 270.410 Permit Shield

THE OWNER OR OPERATOR OF A CAAPP SOURCE SEEKING A PERMIT SHIELD in its CAAPP permit pursuant to SECTION 39.5(7)(j) of the Act SHALL REQUEST SUCH PERMIT SHIELD IN THE CAAPP APPLICATION REGARDING THAT SOURCE. (See Section 39.5(5)(p) of the Act).

## Section 270.413 Acid Rain

- a) A DESIGNATED REPRESENTATIVE OF AN AFFECTED SOURCE FOR ACID DEPOSITION SHALL SUBMIT A TIMELY AND COMPLETE PHASE II ACID RAIN PERMIT APPLICATION AND COMPLIANCE PLAN TO THE AGENCY, NOT LATER THAN JANUARY 1, 1996, THAT MEETS THE REQUIREMENTS OF TITLES IV AND V OF THE CLEAN AIR ACT AND REGULATIONS, in accordance with Section 39.5(17) of the Act. (See Section 39.5(17)(b) of the Act)
- b) A DESIGNATED REPRESENTATIVE OF AN AFFECTED SOURCE FOR ACID DEPOSITION SHALL SUBMIT A TIMELY AND COMPLETE TITLE IV NO<sub>x</sub> PERMIT APPLICATION TO THE AGENCY, NOT LATER THAN JANUARY 1, 1998, THAT MEETS THE REQUIREMENTS OF TITLES IV AND V OF THE CLEAN

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AIR ACT AND ITS REGULATIONS, in accordance with Section 39.5(17) of the Act. (See Section 39.5(17)(e) of the Act).

## Section 270.503 Reopenings Initiated by the Agency

- a) The Agency shall reopen and revise a CAAPP permit for any of the following reasons:
  - 1) ADDITIONAL REQUIREMENTS UNDER THE CLEAN AIR ACT BECOME APPLICABLE TO A MAJOR CAAPP SOURCE FOR WHICH THREE OR MORE YEARS REMAIN ON THE ORIGINAL TERM OF THE PERMIT. SUCH A REOPENING SHALL BE COMPLETED NOT LATER THAN 18 MONTHS AFTER THE PROMULGATION OF THE APPLICABLE REQUIREMENT. NO SUCH REVISION IS REQUIRED IF THE EFFECTIVE DATE OF THE REQUIREMENT IS LATER THAN THE DATE ON WHICH THE PERMIT IS DUE TO EXPIRE (See Section 39.5(16)(a)(i) of the Act);
  - 2) ADDITIONAL REQUIREMENTS (INCLUDING EXCESS EMISSIONS REQUIREMENTS) BECOME APPLICABLE TO AN AFFECTED SOURCE FOR ACID DEPOSITION UNDER THE ACID RAIN PROGRAM. EXCESS EMISSIONS OFFSET PLANS SHALL BE DEEMED TO BE INCORPORATED INTO THE PERMIT UPON APPROVAL BY USEPA (See Section 39.5(16)(a)(ii) of the Act);
  - 3) THE AGENCY OR USEPA DETERMINES THAT THE PERMIT CONTAINS A MATERIAL MISTAKE OR THAT INACCURATE STATEMENTS WERE MADE IN ESTABLISHING THE EMISSIONS STANDARDS, LIMITATIONS, OR OTHER TERMS OR CONDITIONS OF THE PERMIT (See Section 39.5(16)(a)(iii) of the Act); OR
  - 4) THE AGENCY OR USEPA DETERMINES THAT THE PERMIT MUST BE REVISED OR REVOKED TO ASSURE COMPLIANCE WITH THE APPLICABLE REQUIREMENTS. (See Section 39.5(16)(a)(iv) of the Act)
- c) Response
  - 1) The CAAPP source may submit to the Agency a written response to the notice to reopen and revise the CAAPP permit within 30 days



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~~effective~~ receipt of the Agency's notice.

- d) Draft permit or statement
- 4) The Agency shall give notice of the draft CAAPP permit to the public, the owner or operator of the CAAPP source and affected States in accordance with the requirements of Section 39.5(8) of the Act and 35 Ill. Adm. Code 522.

## Section 270.504 Reopenings Initiated by USEPA

- a) If USEPA notifies the Agency and permittee that cause exists to modify a CAAPP permit, the Agency shall send to USEPA and the permittee a proposed determination of modification, with supporting information explaining the grounds for the proposed determination. THE PROPOSED DETERMINATION SHALL BE IN ACCORDANCE WITH THE RECORD, THE CLEAN AIR ACT, REGULATIONS PROMULGATED THEREUNDER, THE ACT, AND REGULATIONS PROMULGATED THEREUNDER. SUCH PROPOSED DETERMINATION SHALL NOT AFFECT THE PERMIT OR CONSTITUTE A FINAL PERMIT ACTION FOR PURPOSES OF THE ACT OR THE ADMINISTRATIVE REVIEW LAW [625 ILCS 32]. (See Section 39.5(16)(a) of the Act)

- b) The proposed determination and supporting information shall be sent to USEPA and the permittee within 90 days ~~effective~~ receipt of USEPA's notification or 180 days if USEPA has extended the period for response.

- c) If USEPA objects to the proposed determination within 90 days ~~effective~~ receipt, the Agency shall, within 90 days after receipt of such objection, resolve the objection and modify the CAAPP permit in accordance with USEPA's objection, based upon the record, the Clean Air Act, regulations promulgated thereunder, the Act, and regulations promulgated thereunder.

- d) If USEPA does not object to the proposed determination within 90 days ~~effective~~ receipt, the Agency shall, within seven days ~~effective~~ receipt of USEPA's final approval or within seven days after expiration of the 90-day period, whichever is earlier, take final action in accordance with the

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Agency's proposed determination.

## Section 270.602 Definitions

The following terms are defined for purposes of this Subpart.

"Active substitution unit" means an affected unit for acid deposition that is designated as a Phase I unit in an approved substitution plan pursuant to Section 404(c) of the Clean Air Act, excluding: a unit under Section 410 of the Clean Air Act; a unit designated as a Phase I unit in a reduced utilization plan, pursuant to Section 408(c)(1) of the Clean Air Act; and a unit in a substitution plan that has been conditionally approved or terminated.

"Regulated air pollutant" has the meaning given to it under Section 39.5(1) of the Act but shall exclude:

- a1) Carbon monoxide;
- b2) Any Class I or Class II substance which is regulated solely because it is listed pursuant to Section 602 of the Clean Air Act;
- e3) Any pollutant that is a regulated air pollutant solely because it is subject to a standard or regulation under Section 112(r) of the Clean Air Act based on the emissions allowed in the permit effective in that calendar year, at the time the bill is generated; and

- d4) During the years 1995 through 1999 inclusive, any emissions from affected sources for acid deposition pursuant to Section 408(c)(4) of the Clean Air Act, but not excluding emissions from any ~~substitute~~ unit that is not either an active substitution unit or emissions from any unit that is not an affected unit for acid deposition at the affected source.

## Section 270.603 Amount of Fee

- a) For each twelve-month period beginning after the date on which USEPA approves or conditionally

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approves the CAAPP, but in no event prior to January 1, 1994, an owner or operator of a source subject to the CAAPP or excluded pursuant to Section 39.5(1.1) or 39.5(3)(c) of the Act shall pay a fee in accordance with the following:

- 1) The fee for a source allowed to emit less than 100 tons per year of any combination of regulated air pollutants shall be \$1,000 per year; and
- 2) The fee for a source allowed to emit 100 tons or more per year of any combination of regulated air pollutants shall be the dollar per ton amount set forth within Section 39.5(18) of the Act for each ton of allowable emissions of regulated air pollutants at that source.

e) In the event that an owner or operator of a source has paid a fee pursuant to Section 9.6 of the Act during the twelve-month period that includes the date on which the source's initial complete CAAPP application was received by the Agency ~~following the effective date of the CAAPP, that fee amount shall be deducted from any amount due pursuant to this part for that same twelve-month period~~ the portion of the fee for the months remaining in the twelve-month period subsequent to the date the initial complete CAAPP application was received shall be credited to the owner or operator of the source.

## Section 270.604 Billing Procedures

b) The initial billing statement under this Subpart shall be sent after the source's initial CAAPP application has been ~~deemed or determined to be complete received~~ by the Agency.

c) The date of subsequent billing statements under this Subpart shall be ~~sent by the Agency annually at least forty five (45) days prior to~~ based upon the date on which the source's initial complete CAAPP application was received by the Agency.

1) ~~The billing date previously assigned to the source if the source had been billed under~~

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~~Section 9.6 of the Act, or~~

2) ~~The billing date that the source was assigned in the source's first billing statement pursuant to Section 39.5(18) of the Act if the source had not been billed previously under Section 9.6 of the Act.~~

d) The due date of payment shall be forty-five (45) days after the billing date indicated on each billing statement or five (5) days after the date the CAAPP application has been deemed or determined to be complete by the Agency, whichever is later.

## Section 270.605 Payment Procedures

b) Payment shall be mailed to:

Illinois Environmental Protection Agency  
Fiscal Services Section, Title V Fee Program  
2200 Churchill Road  
P.O. Box 19276  
Springfield, Illinois 62794-9276

## Section 270.606 Refund and Underpayment of Fees

c) If the owner or operator of a source submits to the Agency an amount less than the amount due pursuant to Section 39.5(18) of the Act and this Subpart due to an error in the source's calculation of allowable emissions or an error in the Agency's calculation of fees, the owner or operator shall submit the difference between the amount paid and the amount due in accordance with subsections (~~1~~) or (~~1~~2) below.

~~1~~ If a source discovers that its calculation of allowable emissions was incorrect, it shall promptly submit to the Agency the correct information and the amount of underpayment.

~~1~~2) If the Agency discovers that it has incorrectly billed the source, the Agency shall promptly notify the owner or operator of the CAAPP source. The Agency must notify the owner or operator of the incorrect billing during the term of the permit. The



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owner or operator of the CAAPP source shall submit the amount of underpayment within 45 days ~~of~~after receipt of the notice.

#### Section 270.608 Agency Response to Requests for Reconsideration

The Agency shall respond in writing to requests for reconsideration of the billed fee amount within 30 days ~~of~~after receipt of the request. Such written response shall constitute final Agency action on the request for reconsideration.

*Response to recommendations made by the Administrative Code Division for changes in the rules to make them comply with the codification scheme:*

1. In the main source note, "adopted in" should be changed to "adopted at".
2. There should be no underlines under "et seq.".
3. The table format should be removed from Section 270.201 since this graphic cannot be incorporated into the database.
4. The origin of quoted statutory language must be identified in Sections 270.303, 270.305, 270.306, 270.503, and 270.504.
5. The reference to "subsection (b)(4)" in Section 270.404(b) should be changed to "subsection (a)(4)".
6. The word "Board" should be deleted from Section 270.409.
7. Subsections (c)(1) and (c)(2) of Section 270.604 should be moved 5 spaces to the left.
8. Subsection (b) in Section 270.607 should be indented 5 spaces to the right.
9. Section source notes are not required.

The Secretary of State also recommended that the paragraphs in Section 270.108 be labelled "a" and "b". This change was

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not incorporated since Section 270.108 merely contains a reference to a single document that is being incorporated by reference. Rather, the two paragraphs were incorporated into one sentence.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
N/A

- 13) Will this rule (amendments, repealer) replace an emergency rule (amendment, repealer) currently in effect? No

- 14) Are there any amendments pending on this Part? No

Section Numbers	Proposed Action	Illinois Register Citation
-----------------	-----------------	----------------------------

- 15) Summary and Purpose of Rule(s) (Amendments, Repealer):

New Section 39.5 was added to the Environmental Protection Act to implement the requirements of Title V of the Clean Air Act as amended in 1990. Part 270 clarifies the application, reopening, and fee subsections of Section 39.5.

- 16) Information and questions regarding this adopted rule (amendments, repealer) shall be directed to:

Name:	Laurel Kroack
Address:	Illinois Environmental Protection Agency P.O. Box 19276 Springfield, Illinois 62794-9276
Telephone:	217/524-3333

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## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE B: AIR POLLUTION

## CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

## PART 270

## CLEAN AIR ACT PERMIT PROGRAM PROCEDURES

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## Requests for Reconsideration of Fee Amount

## Agency Response to Requests for Reconsideration

## Appeal of Agency Response

AUTHORITY: Implementing and authorized by Section 39.5 of the Environmental Protection Act (See P.A. 87-1213, effective September 26, 1992, and P.A. 88-464, effective August 20, 1993) [415 ILCS 5/39.5].

SOURCE: Adopted at \_\_\_ Ill. Reg. \_\_\_, effective JUN 14, 1994

NOTE: Capitalization denotes statutory language.

## SUBPART A: GENERAL PROVISIONS

Section 270.101 Purpose

This Part provides procedural rules to implement Section 39.5 of the Environmental Protection Act (See P.A. 87-1213, effective September 26, 1992, and P.A. 88-464, effective August 20, 1993) [415 ILCS 5/39.5] ("Act"), the permit program established for this State pursuant to Title V of the Clean Air Act as amended (42 U.S.C. §7401 et seq.).



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## Section 270.102 Definitions

Except as otherwise defined in this Part, definitions of terms used in this Part shall be those used in Section 39.5 of the Act and 35 Ill. Adm. Code 211.

## Section 270.103 Existing CAAPP Source

"Existing CAAPP source" means a CAAPP source that commenced operation prior to the effective date of the CAAPP.

## Section 270.104 Initial CAAPP Application

"Initial CAAPP application" means the first CAAPP application submitted for an existing CAAPP source.

## Section 270.105 New CAAPP Source

"New CAAPP source" means a CAAPP source that is not an existing CAAPP source.

## Section 270.106 Standard Industrial Classification (SIC) Code

"Standard Industrial Classification (SIC) Code" means the 2-, 3-, or 4- digit code for a source based on the primary activity conducted at the source, as determined from the Standard Industrial Classification Manual (1987), Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, incorporated by reference in Section 270.108 of this Part.

## Section 270.107 Applicability

This Part applies to the owner or operator of any source required to have an operating permit pursuant to Section 39.5 of the Act.

## Section 270.108 Incorporation by Reference

Standard Industrial Classification Manual, Superintendent of Documents, Washington, D.C. 20402, 1987, is incorporated by reference. This incorporation does not include any later amendments or editions.

## SUBPART B: TRANSITION

## Section 270.201

Schedule for Submission of Initial CAAPP Applications for Existing CAAPP Sources

An owner or operator of an existing CAAPP source shall submit to

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the Agency a complete initial CAAPP application for the source no later than the applicable date specified below:

- a) An owner or operator of a CAAPP source with the following SIC codes shall submit its initial complete CAAPP application no later than 3 months after the effective date of the CAAPP: 70, 80, 82, 92, and 97 (institutions); 44, 50, and 51 (material handling); 10, 12, and 14 (mining); and 2951 (asphalt plants);
- b) An owner or operator of a CAAPP source with the following SIC codes shall submit its initial complete CAAPP application no later than 6 months after the effective date of the CAAPP: 26 (paper and allied products); 27 (printing and publishing); 46, 494, and 495 (pipelines and utilities other than natural gas pipelines); 491 and 493 (electric utilities); and 32 (mineral products);
- c) An owner or operator of a CAAPP source not included in (a) or (b) above or (d) below shall submit its initial complete CAAPP application no later than 9 months after the effective date of the CAAPP; and
- d) An owner or operator of a CAAPP source with the following SIC codes shall submit its initial complete CAAPP application no later than 12 months after the effective date of the CAAPP: 20 (agricultural products); 28 (chemicals); 29 (petroleum refining not including 2951); 33 (iron and steel products); and 37 (transportation equipment).

## Section 270.202 Transition from the State Operating Permit Program

- a) AN OWNER OR OPERATOR OF A CAAPP SOURCE SHALL NOT BE REQUIRED TO RENEW AN EXISTING STATE OPERATING PERMIT FOR ANY EMISSION UNIT AT SUCH CAAPP SOURCE ONCE A CAAPP APPLICATION TIMELY SUBMITTED PRIOR TO THE EXPIRATION OF THE STATE OPERATING PERMIT HAS BEEN DEEMED COMPLETE. FOR PURPOSES OTHER THAN PERMIT RENEWAL, THE OBLIGATION UPON THE OWNER OR OPERATOR OF A CAAPP SOURCE TO OBTAIN A STATE OPERATING PERMIT IS NOT REMOVED UPON SUBMITTAL OF A COMPLETE CAAPP APPLICATION. AN OWNER OR OPERATOR OF A CAAPP SOURCE SEEKING TO MAKE A MODIFICATION TO A SOURCE PRIOR TO THE ISSUANCE OF ITS CAAPP PERMIT SHALL BE REQUIRED TO OBTAIN A CONSTRUCTION AND/OR OPERATING PERMIT AS REQUIRED FOR SUCH MODIFICATION IN ACCORDANCE

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WITH THE STATE PERMIT PROGRAM UNDER SECTION 39(a) OF THE ACT, AS AMENDED, AND REGULATIONS PROMULGATED THEREUNDER. THE APPLICATION FOR SUCH CONSTRUCTION AND/OR OPERATING PERMIT SHALL BE CONSIDERED AN AMENDMENT TO THE CAAPP APPLICATION SUBMITTED FOR SUCH SOURCE. (See Section 39.5(4) (a) of the Act)

b) AN OWNER OR OPERATOR OF A CAAPP SOURCE SHALL CONTINUE TO OPERATE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF ITS APPLICABLE STATE OPERATING PERMIT NOTWITHSTANDING THE EXPIRATION OF THE STATE OPERATING PERMIT UNTIL THE SOURCE'S CAAPP PERMIT HAS BEEN ISSUED. (See Section 39.5(4) (b) of the Act)

c) THE CAAPP PERMIT SHALL, UPON BECOMING EFFECTIVE, SUPERSEDE THE STATE OPERATING PERMIT. (See Section 39.5(4) (g) of the Act)

## SUBPART C: CAAPP APPLICATIONS

## Section 270.301 Application Submittal

a) In order for a submittal to be deemed timely, an owner or operator of an existing CAAPP source shall submit to the Agency a complete initial CAAPP application in accordance with the schedule set forth in Section 270.201 of this Part. An owner or operator of an existing CAAPP source may voluntarily submit its initial CAAPP application prior to the date required in this Part, provided that the CAAPP submittal to the Agency is subsequent to the date the Agency submits the CAAPP to USEPA for approval.

b) THE OWNER OR OPERATOR OF A NEW CAAPP SOURCE SHALL SUBMIT ITS COMPLETE CAAPP APPLICATION CONSISTENT WITH Section 39.5(5) of the Act.

c) An owner or operator of a new CAAPP source must comply with all applicable construction permit requirements.

d) In order for a submittal to be deemed timely, an owner or operator of a CAAPP source shall submit to the Agency a complete CAAPP application for the renewal of a CAAPP permit not later than 9 months before the date of permit expiration of the existing CAAPP permit.

Section 270.302 Application Submittal for Modifications of CAAPP Permits

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a) A complete application for a significant modification of a CAAPP permit shall be submitted to the Agency not later than 9 months prior to the date of implementation of the proposed change. The proposed change may be implemented as soon as the Agency has taken final action to approve the change.

b) A complete application for a permit modification under Section 112(g) of the Clean Air Act shall be submitted to the Agency not later than 12 months after implementation of the proposed change. However, if the proposed change is a significant modification, subsection (a) above shall apply.

c) A complete application for a minor permit modification of a CAAPP permit using the minor permit modification or group processing procedure shall be submitted to the Agency prior to the date of implementation of the proposed change consistent with Section 39.5(14) of the Act.

d) A written request for an administrative permit amendment of a CAAPP permit shall be submitted to the Agency prior to the date of implementation of the proposed change.

e) A construction permit may be incorporated into a CAAPP permit through the administrative permit amendment procedures, pursuant to Section 39.5(13)(c)(v) of the Act, if procedural and compliance requirements substantially equivalent to those for the issuance of CAAPP permits were met in the issuance of the construction permit; otherwise, the construction permit must be incorporated into the CAAPP permit through the significant modification procedures.

## Section 270.303 Agency Determination of Completeness

a) In order for an initial or renewal CAAPP application or an application for a significant modification to be deemed complete by the Agency, the application shall provide all of the information required in Subparts C and D of the Part applicable to the source for which the application is being submitted.

b) THE AGENCY SHALL PROVIDE NOTICE TO A CAAPP APPLICANT AS TO WHETHER A SUBMITTED CAAPP APPLICATION IS COMPLETE. UNLESS THE AGENCY NOTIFIES THE APPLICANT OF



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INCOMPLETENESS WITHIN 60 DAYS OF RECEIPT OF THE CAAPP APPLICATION, THE APPLICATION SHALL BE DEEMED COMPLETE. (See Section 39.5(5)(f) of the Act)

- c) Where an applicant is proposing in its CAAPP application that an activity at the source be treated as an insignificant activity, the Agency will make its completeness determination in accordance with subsection (a) above. If the Agency requests any additional information regarding the proposed insignificant activity, such information shall be provided in accordance with Section 270.305 of this Part.

Section 270.304 Effect of a Timely and Complete Application Submittal

- a) An owner or operator of a CAAPP source shall not be in violation of the requirement to have a CAAPP permit under Section 39.5 of the Act if such owner or operator has submitted a timely and complete CAAPP application, until the Agency takes final action on the CAAPP application except as provided in subsection (b) below.
- b) If the owner or operator of a CAAPP source fails to submit additional information requested by the Agency by the reasonable deadline specified pursuant to Section 270.305 of this Part, the owner or operator shall lose the protection provided in subsection (a) above.

Section 270.305 Subsequent Agency Request for Information

- a) THE AGENCY MAY REQUEST ADDITIONAL INFORMATION AS NEEDED TO MAKE A COMPLETENESS DETERMINATION. THE AGENCY MAY TO THE EXTENT PRACTICABLE PROVIDE THE APPLICANT WITH A REASONABLE OPPORTUNITY TO CORRECT DEFICIENCIES PRIOR TO A FINAL DETERMINATION OF COMPLETENESS. (See Section 39.5(5)(f) of the Act)

- b) If, while processing an application that has been determined or deemed to be complete, the Agency determines that additional information is necessary to evaluate or take final action on that application, it may request such information in writing and set a reasonable deadline for response.

Section 270.306 Submittal of New or Revised Information

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ANY APPLICANT WHO FAILS TO SUBMIT ANY RELEVANT FACTS NECESSARY TO EVALUATE THE SUBJECT SOURCE AND ITS CAAPP APPLICATION OR WHO HAS SUBMITTED INCORRECT INFORMATION IN A CAAPP APPLICATION SHALL, UPON BECOMING AWARE OF SUCH FAILURE OR INCORRECT SUBMITTAL, SUBMIT SUPPLEMENTARY FACTS OR CORRECT INFORMATION TO THE AGENCY. IN ADDITION, AN APPLICANT SHALL PROVIDE TO THE AGENCY ADDITIONAL INFORMATION AS NECESSARY TO ADDRESS ANY REQUIREMENTS WHICH BECOME APPLICABLE TO THE SOURCE SUBSEQUENT TO THE DATE THE APPLICANT SUBMITTED ITS COMPLETE CAAPP APPLICATION BUT PRIOR TO RELEASE OF THE DRAFT CAAPP PERMIT. (See Section 39.5(5)(i) of the Act)

Section 270.307 Agency Action on CAAPP Applications

- a) In accordance with Section 39.5(10) of the Act, THE AGENCY SHALL ISSUE OR DENY THE CAAPP PERMIT WITHIN 18 MONTHS AFTER THE DATE OF RECEIPT OF THE COMPLETE CAAPP APPLICATION, WITH THE FOLLOWING EXCEPTIONS,
- 1) PERMITS FOR AFFECTED SOURCES FOR ACID DEPOSITION SHALL BE ISSUED OR DENIED WITHIN 6 MONTHS AFTER RECEIPT OF A COMPLETE APPLICATION IN ACCORDANCE WITH Section 39.5(17) of the Act;
  - 2) THE AGENCY SHALL ACT ON INITIAL CAAPP APPLICATIONS WITHIN 24 MONTHS AFTER THE DATE OF RECEIPT OF THE COMPLETE CAAPP APPLICATION; and
  - 3) THE AGENCY SHALL ACT ON COMPLETE APPLICATIONS CONTAINING EARLY REDUCTION DEMONSTRATIONS UNDER SECTION 112(i)(5) OF THE CLEAN AIR ACT WITHIN 9 MONTHS OF RECEIPT OF THE COMPLETE CAAPP APPLICATION. (See Section 39.5(5)(j) of the Act)
- b) WHERE THE AGENCY DOES NOT TAKE FINAL ACTION ON THE PERMIT WITHIN THE REQUIRED TIME PERIOD, THE PERMIT SHALL NOT BE DEEMED ISSUED; RATHER, THE FAILURE TO ACT SHALL BE TREATED AS A FINAL PERMIT ACTION FOR PURPOSES OF JUDICIAL REVIEW PURSUANT TO SECTIONS 40.2 AND 41 OF THE ACT. (See Section 39.5(5)(j) of the Act)

Section 270.308 Requests for Exclusion from the CAAPP Due to Permanent Physical Constraints

The owner or operator of a CAAPP source that has been issued a CAAPP permit and that has reduced its potential to emit to a level below the major source threshold for each air pollutant emitted at the source, as defined in Section 39.5(2) of the Act, may seek exclusion from the CAAPP. The owner or operator of the

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source must request this exclusion from the Agency and demonstrate that the source's potential to emit has been reduced to a level below the major source threshold for each air pollutant emitted due to permanent physical constraints.

## SUBPART D: CONTENTS OF CAAPP APPLICATIONS

## Section 270.401 General Application Information

- a) An owner or operator of a CAAPP source shall submit to the Agency four copies of a single complete CAAPP application covering all emission units and air pollution control equipment at the source.
- b) A CAAPP application shall contain a table of contents and a list of items and activities for which a permit is being sought.
- c) In accordance with Section 39.5(5)(c) of the Act, a CAAPP application shall contain all information sufficient to evaluate the subject source and its application, to determine all applicable requirements, including establishing the basis for fees, and to evaluate compliance of the subject source with these applicable requirements.

- d) Information, as specified in Section 270.402 (excluding Section 207.402(a)) through Section 270.405 of this Part, including data and calculations for emissions of hazardous air pollutants listed in Section 112(b) of the Clean Air Act, is not required to be submitted for insignificant activities or emission levels at the source, as defined by applicable Board regulations, provided a list of such activities or emission levels is submitted in the application identifying the particular definition under which each listed activity or emission level qualifies as significant and accompanied by a certification that all listed activities and emission levels qualify as insignificant, unless additional information is requested by the Agency.

- e) A CAAPP application in which the owner or operator of a CAAPP source is seeking an alternative emission limit to that contained in the applicable Board regulations shall include a showing that the applicable Board regulation and State Implementation Plan adopted by USEPA allow for such an alternative emission limit to

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be set by the Agency in a permit and shall demonstrate that the proposed limit is equivalent to the applicable Board regulation.

- f) A CAAPP application shall contain a certification by a responsible official that, based on information and belief formed by the responsible official after reasonable inquiry, the statements and information in the application are true, accurate, and complete. This certification shall be dated and signed by the responsible official.
- g) AN OWNER OR OPERATOR OF A CAAPP SOURCE WHICH SEEKS EXCLUSION FROM THE CAAPP THROUGH THE IMPOSITION OF FEDERALLY ENFORCEABLE CONDITIONS, limiting the potential to emit of the source to a level below the major source threshold as described in Section 39.5(2)(c) of the Act, MUST REQUEST SUCH EXCLUSION WITHIN A CAAPP APPLICATION SUBMITTED CONSISTENT WITH THIS PART ON OR AFTER THE DATE THAT THE CAAPP APPLICATION FOR THE SOURCE IS DUE. PRIOR TO SUCH DATE, but in no case later than nine months after the effective date of the CAAPP, SUCH OWNER OR OPERATOR MAY REQUEST THE IMPOSITION OF FEDERALLY ENFORCEABLE CONDITIONS PURSUANT TO Section 39.5(1.1)(b) of the Act. (See Section 39.5(5)(u) of the Act)

- h) Notwithstanding other provisions of this Subpart, once the Agency has issued a general permit for a source category, the Agency may waive the requirement for submittal of particular information in subsequent applications for coverage under such general permit, provided that such applications meet all requirements of Title V of the Clean Air Act and include all information necessary to determine qualification for and to assure compliance with the general permit.

(Note: To determine whether data and calculations for emissions of hazardous air pollutants listed in Section 112(b) of the Clean Air Act must be included in the CAAPP application, see 35 Ill. Adm. Code 201 Subpart F.)

Section 270.402 General Source Information

Consistent with Section 270.401(d) of this Part a CAAPP application shall contain the following:



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- a) Source identifying information including company name and address (or plant name and address if different from company name), owner's name and agent, operator's name (if different from owner), and telephone number and names of plant site manager/contact;
- b) A process flow diagram that shows all emission units and air pollution control equipment, and the relationship and connections between these items at the source. If this information cannot be provided on a single diagram, process flow diagrams for groups of related emission units or individual departments at the source and a source overview diagram showing the relationship and connections between the different groups or departments at the source may be provided;
- c) Identification and description of the source's processes and products by Standard Industrial Classification Code including any associated with each reasonably anticipated operating scenario for which a permit is being sought, which may be described in terms of ranges of operating parameters;
- d) A plot plan/map of the location of the source which shows the location of buildings, stacks and vents. The plot/plan map must also depict the area surrounding the source including structures such as residences, hospitals, schools, nursing homes, commercial establishments, and manufacturing sites within one-quarter mile of the source;
- e) Upon request by the Agency, a source layout drawing showing the basic geometric shape of each building or structure at the source which contains an emission unit that is itself major and indicating each stack and vent;
- f) Limitations on source operations affecting emissions or any work practice standards, where applicable, if different than those provided for individual emission units pursuant to Section 270.403(1) of this Part;
- g) Identification and description of each reasonably anticipated operating scenario of processes at the source and the emission rates associated with each such operating scenario;
- h) A summary of all hazardous air pollutants listed in

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Section 112(b) of the Clean Air Act emitted at the source that includes a list of such pollutants emitted and the maximum and typical emission rates in tons-per-year and in such other terms as are necessary to establish the applicability of requirements consistent with the applicable standard reference test methods;

- i) An early reduction demonstration for hazardous air pollutants if the owner or operator of the source is applying for an extension pursuant to Section 112(i)(5) of the Clean Air Act;
- j) The name and address of the party to be billed and the name and telephone number of an individual capable of answering questions concerning billing; and
- k) Calculations used to determine all the emission rates as required above if different than those provided for individual emission units pursuant to Section 270.403(g) of this Part.

## Section 270.403 Information for Individual Emission Units

A CAAPP application shall contain the following for each emission unit, for each mode of operation for which a permit is being sought:

- a) Identification and description of the emission unit and the mode of operation for which a permit is being sought;
- b) Citation and description of all applicable requirements, including requirements that will become effective during the term of a permit if such requirement has been promulgated at the time of permit application;
- c) Description of the applicable test method relied upon for determining compliance with each applicable requirement;
- d) Identification and description of compliance monitoring devices or activities, including recordkeeping and reporting activities to the extent that they are air emissions related;
- e) The maximum emission rates for each regulated air pollutant and air pollutant for which the source is

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major in tons-per-year, pounds-per-hour (unless emissions are not normally calculated in pounds-per-hour) and in such other terms that are necessary to establish the applicability of requirements and compliance with the applicable limitations and standards, and consistent with the applicable standard reference test methods. Estimates of typical emissions shall be included if different than the above maximum emission rates in the same terms as the maximum emission rates;

- f) Allowable emissions in tons-per-year and in such other terms as necessary to allow the determination of fees and to establish any associated permit limits;
- g) Calculations on which the emission rates required by subsections (e) and (f) above are based;
- h) To the extent they are related to air emissions, fuels and raw materials used, maximum and typical fuel use, raw material use rates, production rates and operating schedules, characteristics of fuels or raw materials and material balance information and the calculations on which this information is based;
- i) To the extent that they are related to the determination of air emissions or compliance with applicable requirements, identification and description of air pollution control equipment and control methods and information describing their effectiveness, including operating parameters or pollutant reduction efficiencies during maximum and typical operation of associated emission units, and the calculations on which the information is based;
- j) Identification and description of pollutant exhaust points, including information required by applicable rules to demonstrate compliance;
- k) Identification of any proposed exemptions from otherwise applicable requirements, including any explanation and justification of the applicability of such exemptions, with supporting calculations;
- l) Limitations on unit operations affecting emissions or any work practice standards, where applicable; and
- m) Other information that is specifically required by any

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applicable requirement.

## Section 270.404 Compliance Plan/Schedule of Compliance

A CAAPP application shall contain a compliance plan/schedule of compliance for all emission units at the source, regardless of the compliance status of each emission unit, that contains the following:

- a) A description of the compliance status of all emission units at the source with respect to all applicable requirements as follows:
  - 1) For applicable requirements with which the source is in compliance at the time of application submittal, a statement that the source will continue to comply with such requirements during the permit term;
  - 2) For applicable requirements that will become effective during the permit term, a statement that the source will achieve compliance with such requirements on a timely basis and will continue to comply with such requirements during the permit term;
  - 3) For applicable requirements with which the source is not in compliance at the time of application submittal but will be in compliance prior to permit issuance, a statement that the source will achieve compliance prior to permit issuance and will continue to comply with such requirements during the permit term; and
  - 4) For applicable requirements with which the source is not in compliance at the time of application submittal and will not be in compliance at the time of permit issuance, a narrative description of how the source will achieve compliance with such requirements;
- b) A compliance plan/schedule of compliance addendum for emission units described in subsection (a)(4) above that includes a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any such applicable requirements for which the source will be in noncompliance at the time of application submittal.



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This compliance plan/schedule of compliance addendum shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the source is subject;

- c) A schedule for submission of certified progress reports no less frequently than every 6 months for sources required to have a compliance plan/schedule of compliance to remedy a violation; and

- d) For an effected source of acid rain deposition, the compliance plan/schedule of compliance content requirements specified in this Section shall apply to and be included in the compliance plan/schedule of compliance of such source's Phase II acid rain permit, for an affected source for acid deposition, except as specifically superseded by regulations promulgated under Title IV of the Clean Air Act with regard to schedule and method(s) the source will use to achieve compliance with the acid rain emissions limitations.

## Section 270.405 Compliance Certification

A CAAPP application shall contain a compliance certification that contains the following:

- a) A certification of compliance with all applicable requirements except those identified, signed by a responsible official consistent with Section 270.401(e) of this Part;
- b) A statement of methods used for determining compliance, including a description of monitoring, record keeping, and reporting requirements and test methods;
- c) A proposed schedule for submission of compliance certifications during the permit term, to be submitted no less frequently than annually, or more frequently if specified by the underlying applicable requirement or by the Agency; and
- d) A statement indicating the source's compliance status with all applicable enhanced monitoring and compliance certification requirements of the Clean Air Act.

## Section 270.406 Operational Flexibility

If the owner or operator of a CAAPP source desires a CAAPP permit

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which contains terms and conditions allowing for the trading of emissions increases and decreases at the CAAPP source solely for the purpose of complying with a federally-enforceable emissions cap that is established in the permit independent of otherwise applicable requirements, then the application must contain such a request and include proposed replicable procedure and permit terms (including reporting and record keeping procedures) that can be placed in the permit to ensure that any proposed emissions trades are quantifiable and enforceable.

## Section 270.407 Startup

A request to exceed the standards or limitations of Subchapter c of Chapter I of the Board's Air Pollution regulations (35 Ill. Adm. Code 212 et seq.) during startup of an emission unit, if desired, must be contained in the CAAPP application and shall include at a minimum a description of the startup procedure, the duration and frequency of such startups, the types and quantities of emissions during startup and the applicant's efforts to minimize any such startup emissions, duration of individual startups and frequency of startups, and all calculations used to determine the above information. In no event shall permission be given to operate during startup where such startup would result in an exceedance of the ambient air quality standard. The Agency may grant permission to operate during startup in accordance with 35 Ill. Adm. Code 201.262.

## Section 270.408 Malfunction or Breakdown

A request to continue to operate an emission unit in excess of the standards or limitations of Subchapter c of Chapter I of the Board's Air Pollution regulations (35 Ill. Adm. Code 212 et seq.) during a malfunction or breakdown of the emission unit or related air pollution control equipment, if desired, must be contained in the CAAPP application and shall include, at a minimum, a detailed explanation of why such continued operation will be necessary; the nature of any anticipated malfunction or breakdown; emission points and quantities of emissions which will occur during such continued operation; the anticipated length of time during which such operation will continue; all measures, such as use of off-shift labor or equipment, which will be taken to minimize the quantity of air contaminant emissions and length of time during which such operation will continue; and the calculations used to determine the above information. The Agency may grant permission to operate during a malfunction or breakdown in accordance with 35 Ill. Adm. Code 201.262.

## Section 270.409 Confidential Information

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If the applicant determines that certain submitted information in the CAAPP application be held confidential, the applicant shall mark and claim such information according to the Act and applicable regulations.

## Section 270.410 Permit Shield

THE OWNER OR OPERATOR OF A CAAPP SOURCE SEEKING A PERMIT SHIELD in its CAAPP permit PURSUANT TO SECTION 39.5(7)(j) of the Act SHALL REQUEST SUCH PERMIT SHIELD IN THE CAAPP APPLICATION REGARDING THAT SOURCE. See Section 39.5(5)(p) of the Act

## Section 270.411 Accidental Releases

The owner or operator of a CAAPP source shall certify in its CAAPP application, if applicable, that it has registered its risk management plan pursuant to Section 112(r) of the Clean Air Act or that it intends to comply with such requirement in accordance with its compliance plan/schedule of compliance.

## Section 270.412 MACT Determination

The CAAPP application must contain a proposed determination of maximum achievable control technology (MACT) for hazardous air pollutants (HAPs) in accordance with Section 112 of the Clean Air Act, if applicable.

## Section 270.413 Acid Rain

a) A DESIGNATED REPRESENTATIVE OF AN AFFECTED SOURCE FOR ACID DEPOSITION SHALL SUBMIT A TIMELY AND COMPLETE PHASE II ACID RAIN PERMIT APPLICATION AND COMPLIANCE PLAN TO THE AGENCY, NOT LATER THAN JANUARY 1, 1996, THAT MEETS THE REQUIREMENTS OF TITLES IV AND V OF THE CLEAN AIR ACT AND REGULATIONS, in accordance with Section 39.5(17) of the Act. (See Section 39.5(17)(b) of the Act)

b) A DESIGNATED REPRESENTATIVE OF AN AFFECTED SOURCE FOR ACID DEPOSITION SHALL SUBMIT A TIMELY AND COMPLETE TITLE IV NO<sub>x</sub> PERMIT APPLICATION TO THE AGENCY, NOT LATER THAN JANUARY 1, 1998, THAT MEETS THE REQUIREMENTS OF TITLES IV AND V OF THE CLEAN AIR ACT AND ITS REGULATIONS, in accordance with Section 39.5(17) of the Act. (See Section 39.5(17)(e) of the Act)

## SUBPART E: REOPENINGS

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## Section 270.501 Applicability

The provisions of this Subpart shall apply only if:

- a) The Agency determines that cause exists to reopen and revise a CAAPP permit, pursuant to Section 39.5(15)(a) of the Act; or
- b) USEPA determines that cause exists to reopen and modify a CAAPP permit, pursuant to Section 39.5(16) of the Act.

## Section 270.502 Purpose

This Subpart specifies the procedures for the reopening and revision of a CAAPP permit initiated by the Agency or USEPA pursuant to Section 270.501 of this Part. These procedures shall affect only those parts of a CAAPP permit for which cause to reopen exists.

## Section 270.503 Reopenings Initiated by the Agency

a) The Agency shall reopen and revise a CAAPP permit for any of the following reasons:

- 1) ADDITIONAL REQUIREMENTS UNDER THE CLEAN AIR ACT BECOME APPLICABLE TO A MAJOR CAAPP SOURCE FOR WHICH THREE OR MORE YEARS REMAIN ON THE ORIGINAL TERM OF THE PERMIT. SUCH A REOPENING SHALL BE COMPLETED NOT LATER THAN 18 MONTHS AFTER THE PROMULGATION OF THE APPLICABLE REQUIREMENT. NO SUCH REVISION IS REQUIRED IF THE EFFECTIVE DATE OF THE REQUIREMENT IS LATER THAN THE DATE ON WHICH THE PERMIT IS DUE TO EXPIRE (See Section 39.5(16)(a)(i) of the Act)
- 2) ADDITIONAL REQUIREMENTS (INCLUDING EXCESS EMISSIONS REQUIREMENTS) BECOME APPLICABLE TO AN AFFECTED SOURCE FOR ACID DEPOSITION UNDER THE ACID RAIN PROGRAM. EXCESS EMISSIONS OFFSET PLANS SHALL BE DEEMED TO BE INCORPORATED INTO THE PERMIT UPON APPROVAL BY USEPA (See Section 39.5(16)(a)(ii) of the Act);
- 3) THE AGENCY OR USEPA DETERMINES THAT THE PERMIT CONTAINS A MATERIAL MISTAKE OR THAT INACCURATE STATEMENTS WERE MADE IN ESTABLISHING THE EMISSIONS STANDARDS, LIMITATIONS, OR OTHER TERMS OR



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CONDITIONS OF THE PERMIT (See Section 39.5(16) (a) (iii) of the Act); OR

- 4) THE AGENCY OR USEPA DETERMINES THAT THE PERMIT MUST BE REVISED OR REVOKED TO ASSURE COMPLIANCE WITH THE APPLICABLE REQUIREMENTS (See Section 39.5(16) (a) (iv) of the Act).

## b) Notice to reopen

- 1) The Agency shall provide written notice to the owner or operator of the CAAPP source of its intent to reopen a CAAPP permit at least 30 days prior to the date the permit is to be reopened, except that the Agency may provide a shorter time period in the case of an emergency.

- 2) The notice shall include the grounds for the reopening and revision, including the terms and conditions that the Agency proposes to change, delete or add to the permit, and the information relied upon to make such determination. If the Agency deems it necessary, the notice shall include a request for the CAAPP source to update and resubmit those parts of the CAAPP permit application subject to the reopening within a reasonable time frame.

## c) Response

- 1) The CAAPP source may submit to the Agency a written response to the notice to reopen and revise the CAAPP permit within 30 days after receipt of the Agency's notice.
- 2) The response shall include the following, as applicable:
- A) Details as to immediate plans for compliance with applicable requirements, including a proposed compliance plan and schedule of compliance;
  - B) Any explanation of the source's current failure to comply with applicable requirements;
  - C) An explanation for and correction of any

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inaccurate statements made in the CAAPP application that were used to establish the emission standards, limitations, or other terms or conditions in the CAAPP permit; and

- D) An assessment of the Agency's proposed correction of any material mistake found in the CAAPP permit.

- 3) If requested in the notice, the owner or operator of the CAAPP source shall submit to the Agency, within a reasonable time frame specified in the notice, a revised CAAPP application.

## d) Draft permit or statement

- 1) Within 90 days after receipt of the source's response or revised CAAPP application, whichever is later, the Agency shall prepare a draft CAAPP permit and statement of basis in compliance with the requirements of Section 39.5(8) of the Act and 35 Ill. Adm. Code 252 or a statement that the CAAPP permit does not need to be reopened and revised.
- 2) The Agency shall include in the draft CAAPP permit such conditions as the Agency determines are necessary to assure compliance with all applicable requirements and correct any material mistakes or inaccurate statements described in the notice.
- 3) The Agency may, to the extent practicable, provide the owner or operator of the CAAPP source with a reasonable opportunity to review and comment on the draft CAAPP permit prior to public notice.
- 4) The Agency shall give notice of the draft CAAPP permit to the public, the owner or operator of the CAAPP source and affected states in accordance with the requirements of Section 39.5(8) of the Act and 35 Ill. Adm. Code 252.
- e) The requirements of Section 39.5(9) of the Act and 35 Ill. Adm. Code 252 regarding USEPA notice and objection shall apply to this Subpart.
- f) The Agency shall reissue the CAAPP only if all the requirements of Section 39.5(10) of the Act have been

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met.

## Section 270.504 Reopenings Initiated by USEPA

- a) If USEPA notifies the Agency and permittee that cause exists to modify a CAAPP permit, the Agency shall send to USEPA and the permittee a proposed determination of modification, with supporting information explaining the grounds for the proposed determination. THE PROPOSED DETERMINATION SHALL BE IN ACCORDANCE WITH THE RECORD, THE CLEAN AIR ACT, REGULATIONS PROMULGATED THEREUNDER, the ACT, AND REGULATIONS PROMULGATED THEREUNDER. SUCH PROPOSED DETERMINATION SHALL NOT AFFECT THE PERMIT OR CONSTITUTE A FINAL PERMIT ACTION FOR PURPOSES OF the ACT OR THE ADMINISTRATIVE REVIEW LAW [625 ILCS 32]. (See Section 39.5(16) (a) of the Act)

- b) The proposed determination and supporting information shall be sent to USEPA and the permittee within 90 days after receipt of USEPA's notification or 180 days if USEPA has extended the period for response.

- c) If USEPA objects to the proposed determination within 90 days after receipt, the Agency shall, within 90 days after receipt of such objection, resolve the objection and modify the CAAPP permit in accordance with USEPA's objection, based upon the record, the Clean Air Act, regulations promulgated thereunder, the Act, and regulations promulgated thereunder.

- d) If USEPA does not object to the proposed determination within 90 days after receipt, the Agency shall, within seven days after receipt of USEPA's final approval or within seven days after expiration of the 90-day period, whichever is earlier, take final action in accordance with the Agency's proposed determination.

## SUBPART F: FEES

## Section 270.601 Purpose

These rules specify the procedures for the determination and collection of fees required by Section 39.5(18) of the Act.

## Section 270.602 Definitions

The following terms are defined for purposes of this Subpart.

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"Active substitution unit" means an affected unit for acid deposition that is designated as a Phase I unit in an approved substitution plan pursuant to Section 404(c) of the Clean Air Act, excluding: a unit under Section 410 of the Clean Air Act; a unit designated as a Phase I unit in a reduced utilization plan, pursuant to Section 408(c)(1) of the Clean Air Act; and a unit in a substitution plan that has been conditionally approved or terminated.

"Regulated air pollutant" has the meaning given to it under Section 39.5(1) of the Act but shall exclude:

- 1) Carbon monoxide;
- 2) Any Class I or Class II substance which is regulated solely because it is listed pursuant to Section 602 of the Clean Air Act;
- 3) Any pollutant that is a regulated air pollutant solely because it is subject to a standard or regulation under Section 112(r) of the Clean Air Act based on the emissions allowed in the permit effective in that calendar year, at the time the bill is generated; and
- 4) During the years 1995 through 1999 inclusive, any emissions from affected sources for acid deposition pursuant to Section 408(c)(4) of the Clean Air Act, but not excluding emissions from any unit that is not either an active substitution unit or an affected unit for acid deposition at the affected source.

## Section 270.603 Amount of Fee

- a) For each twelve-month period beginning after the date on which USEPA approves or conditionally approves the CAAPP, but in no event prior to January 1, 1994, an owner or operator of a source subject to the CAAPP or excluded pursuant to Section 39.5(1.1) or 39.5(3)(c) of the Act shall pay a fee in accordance with the following:

- 1) The fee for a source allowed to emit less than 100 tons per year of any combination of regulated air pollutants shall be \$1,000 per year; and
- 2) The fee for a source allowed to emit 100 tons or



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more per year of any combination of regulated air pollutants shall be the dollar per ton amount set forth within Section 39.5(18) of the Act for each ton of allowable emissions of regulated air pollutants at that source.

- b) The amount of the fee shall be based on the allowable emissions information submitted by the applicant in the fee calculation portion of its CAAPP application, not including emissions of insignificant levels or from insignificant activities, pursuant to 35 Ill. Adm. Code 201.
- c) No owner or operator of a source shall be required to pay an annual fee in excess of \$100,000.
- d) Following the first year of the CAAPP, a fee in excess of \$5,000 may be paid annually or semiannually.
- e) In the event that an owner or operator of a source has paid a fee pursuant to Section 9.6 of the Act during the twelve-month period that includes the date on which the source's initial complete CAAPP application was received by the Agency, the portion of the fee for the months remaining in the twelve-month period subsequent to the date the initial complete CAAPP application was received shall be credited to the owner or operator of the source.

- f) No owner or operator of a source shall be required to pay more than a single dollar-per-ton fee during any billing period for any ton of pollutant emitted (i.e., lead is a particulate (PM-10) and a separate criteria pollutant but will only be subject to a single dollar-per-ton fee).

## Section 270.604 Billing Procedures

- a) The amount of the fee and the due date of payment shall be included on a billing statement sent to the source.
- b) The initial billing statement under this Subpart shall be sent after the source's initial CAAPP application has been received by the Agency.
- c) The date of subsequent billing statements under this Subpart shall be based upon the date on which the source's initial complete CAAPP application was

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received by the Agency.

- d) The due date of payment shall be forty-five (45) days after the billing date indicated on each billing statement or five (5) days after the date the CAAPP application has been deemed or determined to be complete by the Agency, whichever is later.

## Section 270.605 Payment Procedures

- a) Fee payment shall be made by check or money order payable to "Treasurer, State of Illinois," and shall be accompanied by the billing statement that will include the source name and identification number assigned by the Bureau of Air.
- b) Payment shall be mailed to:  
Illinois Environmental Protection Agency  
Fiscal Services Section, Title V Fee Program  
2200 Churchill Road  
P.O. Box 19276  
Springfield, Illinois 62794-9276
- c) Payment shall not include any fees, penalties or other monies due to the Agency for any purposes other than payment of the fee required under this Subpart.
- d) Fees shall be paid no later than forty-five (45) days after the billing date indicated on the billing statement.

- e) An owner or operator of a source shall remain liable for payment of the fee specified in the billing statement for the source unless a written request for withdrawal of the permit for the source is submitted in writing to the Agency prior to the payment due date indicated on the billing statement.

## Section 270.606 Refund and Underpayment of Fees

- a) A fee remitted to the Agency under this Subpart shall not be refunded in whole or part unless the amount paid is in excess of the amount billed or the amount billed is determined to be incorrect.
- b) An owner or operator of a source entitled to a refund under subsection (a) above must request such refund in

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writing; otherwise, the amount that was overpaid incorrectly shall be credited against future fees for which the source will be billed under this Subpart.

- e) If the owner or operator of a source submits to the Agency an amount less than the amount due pursuant to Section 39.5(18) of the Act and this Subpart due to an error in the source's calculation of allowable emissions or an error in the Agency's calculation of fees, the owner or operator shall submit the difference between the amount paid and the amount due in accordance with subsections (1) or (2) below.

- 1) If a source discovers that its calculation of allowable emissions was incorrect, it shall promptly submit to the Agency the correct information and the amount of underpayment.
- 2) If the Agency discovers that it has incorrectly billed the source, the Agency shall promptly notify the owner or operator of the CAAPP source. The Agency must notify the owner or operator of the incorrect billing during the term of the permit. The owner or operator of the CAAPP source shall submit the amount of underpayment within 45 days after receipt of the notice.

## Section 270.607 Requests for Reconsideration of Fee Amount

- a) Requests for reconsideration of the fee amount indicated on a source's billing statement shall be submitted in writing no later than 30 days after issuance of the billing statement.
- b) Requests for reconsideration shall include all pertinent facts and arguments in support thereof. Such requests shall be addressed to:

Illinois Environmental Protection Agency  
Bureau of Air, Program and Budget Officer  
P.O. Box 19276  
Springfield, Illinois 62794-9276

- c) The submittal of a written request for reconsideration of the billed fee amount shall automatically stay the due date of payment to a date thirty (30) days subsequent to final Agency action on the request for reconsideration.

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## Section 270.608 Agency Response to Requests for Reconsideration

The Agency shall respond in writing to requests for reconsideration of the billed fee amount within 30 days after receipt of the request. Such written response shall constitute final Agency action on the request for reconsideration.

## Section 270.609 Appeal of Agency Response

Final Agency action on a request for reconsideration may be appealed by the owner or operator of a source pursuant to applicable Board regulations.



## NORTHEASTERN ILLINOIS PLANNING COMMISSION

## NOTICE OF ADOPTED RULES

- 1) The Heading of the Part: FEES FOR REVIEWING APPLICATIONS TO CHANGE THE BOUNDARIES OF A WASTEWATER FACILITY PLANNING AREA.

2) Code Citation: 35 IL Adm. Code 399

3) Section Numbers: Adoption Action:

Section 399.10 New Section  
 Section 399.20 New Section  
 Section 399.30 New Section  
 Section 399.40 New Section  
 Section 399.50 New Section  
 Section 399.60 New Section  
 Section 399.110 New Section  
 Section 399.120 New Section  
 Section 399.130 New Section  
 Section 399.140 New Section  
 Appendix A New Section

4) Statutory Authority: Northeastern Illinois Planning Act as amended (70 ILCS 1705/33.5) (Public Act 88.347)

5) Effective of Rules: JUN 09 1994

6) Does this rulemaking contain an automatic repeal date? Yes No

7) Does this rule contain incorporations by reference? Yes No

8) Date Filed in Agency's Principal Office: JUN 09 1994

9) Notice of Proposal Published in Illinois Register:

February 18, 1994, 18 Ill. Reg. 2552

10) Has JCAR issued a Statement of Objections to these rules? Yes No

11) Differences Between proposal and final version:

Heading of Part has changed from "Collection of fees from applicants requesting to change the boundaries of a wastewater facility planning area" to that cited by JCAR in their no objection statement - "Fees for reviewing applications to change the boundaries of a wastewater facility planning area"

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12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?

No changes were requested by JCAR.

13) Will this rule replace an emergency rule current in effect? Yes No

14) Are there any amendment pending on this Part? Yes No

15) Summary and Purpose of Rules:

The rules establish a schedule of fees sufficient to pay in whole or in part, the estimated costs of conducting reviews of applications to change the boundaries of a wastewater facility planning area as an amendment to the Illinois Water Quality Management Plan.

16) Information and questions regarding this adopted rule begins on the next page:

Deborah L. Washington, Director: Project Review  
 Northeastern Illinois Planning Commission  
 222 South Riverside Plaza, Suite 1800  
 Chicago, Illinois 60606  
 312/454-0400 Fax 312/454-0411

The full text of the Adopted Rule begins on the next page.

NORTHEASTERN ILLINOIS PLANNING COMMISSION

NOTICE OF ADOPTED RULES

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE C: WATER POLLUTION  
CHAPTER III: NORTHEASTERN ILLINOIS PLANNING COMMISSION

PART 399  
FEES FOR REVIEWING APPLICATIONS TO CHANGE THE BOUNDARIES OF A  
WASTEWATER FACILITY PLANNING AREA

SUBPART A: GENERAL

- Section 399.10 Purpose
- 399.20 Definitions
- 399.30 Related Documents
- 399.40 Applicability
- 399.50 Relation to Other Fees
- 399.60 Severability

SUBPART B: PROCEDURES FOR DETERMINATION AND PAYMENT OF FEES

- Section 399.110 Applicants Not Subject to Fees
- 399.120 Fee Calculation
- 399.130 Manner of Payment
- 399.140 Refund Agreements

APPENDIX A Rates Charged Per Acre

AUTHORITY: Implementing and authorized by Section 33.5 of the Northeastern Illinois Planning Act [70 ILCS 1705/33.5] (see P.A. 88-347).

SOURCE: Adopted at 18 Ill. Reg. \_\_\_\_\_, effective  
**JUN 09 1994**

SUBPART A: GENERAL

Section 399.10 Purpose

The purpose of this Part is to establish procedures for the collection of fees from applicants requesting the Northeastern Illinois Planning Commission (the Commission) to review an application to change the boundaries of a wastewater facility planning area under Section 33.5 of the Northeastern Illinois Planning Act (the Act).

Section 399.20 Definitions

Unless specified otherwise, all terms shall have the meaning set forth in the Act.

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For the purposes of this Part, the following definitions shall apply:

Agency means the Illinois Environmental Protection Agency.

Applicant means a private or public entity authorized under the provisions of the Clean Water Act to seek amendments to the Illinois Water Quality Management Plan (the Plan), which includes a facility planning agency or designated management agency for the area that is the subject of the proceeding or the Illinois Environmental Protection Agency and the Commission.

Commission means the Northeastern Illinois Planning Commission.

Completed Application means the Northeastern Illinois Planning Commission's Water Quality Management Plan Amendment Application with all sections completed that relate to facility planning area boundaries.

Designated Management Agency (DMA) means a private or public entity that, under the provisions of the Clean Water Act, has the responsibility of planning, treating or transporting liquid domestic wastewater and its residual solids.

Facility Planning Area (FPA) means a defined geographical area for the planning, treatment or transport of liquid domestic wastewater and its residual solids.

Fee means the fee authorized by Section 33.5 of the Act.

Level I processing means review by the Commission of a request for boundary changes that are areawide in their impact or that have extensive ramifications to the Plan or the implementation process. These ramifications include, but are not limited to, requests judged by the Commission to have a regional impact. The Commission looks for substantial intergovernmental controversy; the potential for regional water quality, environmental, development and population growth impacts; and a major impact on other State or regional plans and policies. Any amendment request that proposes a reduction in the Agricultural Preservation Area identified in the Northeastern Illinois Planning Commission's Strategic Plan for Land Resource Management exceeding 100 acres or more requires Level I processing.

Level II processing means review by the Commission's Water Resources Committee of a request for boundary changes that affect only a limited geographic area or, if areawide, that have only limited policy implications. These types of changes include, but are not limited to, changes to population projections for the twenty-year planning period set forth in approved facility plans, new designated management agencies, termination of a designated management agency, changes to



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facility planning area boundaries, new or modified sewage treatment works not identified in areawide or State water quality plans and other activities where a significant amount of public interest or concern exists.

Level III processing means review by the Commission's staff of a request for those plan changes that do not involve policy changes, but rather reflect changes and corrections in the factual basis of the plan and its supporting wastewater facility tables.

**Section 399.30 Related Documents**

The following are materials discussed in this Part. Copies are available for public inspection or distribution at the Northeastern Illinois Planning Commission, 222 S. Riverside Plaza, Suite 1800, Chicago IL 60606.

- a) Illinois Water Quality Management Plan, State of Illinois Environmental Protection Agency, 1992.
- b) Water Quality Management Plan -- Amendment Process and Procedures, Northeastern Illinois Planning Commission, 1992.
- c) Water Quality Management Plan -- Amendment Application, Northeastern Illinois Planning Commission, 1992.

**Section 399.40 Applicability**

This Part applies to each applicant who wishes to change the boundaries of a wastewater facility planning area through an amendment to the Illinois Water Quality Management Plan required under the Federal Clean Water Act. A fee schedule has been developed that will provide a system to recover the costs of performing certain types of Level I and II submittals, including land treatment as well as other methods of wastewater treatment, seeking amendment of applicable State and areawide water quality plans to reflect the establishment of a new wastewater facility planning area or a change in the boundaries of an existing wastewater facility planning area.

**Section 399.50 Relation to Other Fees**

The fees collected pursuant to this Part, and the fee collection procedures set forth in this Part, are separate from and in addition to all other fees established by law.

**Section 399.60 Severability**

If any provision of this Part or the application thereof to any person or in any circumstance is adjudged invalid, such adjudication shall not affect the validity of this Part as a whole or any provision thereof not adjudged invalid.

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**SUBPART B: PROCEDURES FOR DETERMINATION AND PAYMENT OF FEES****Section 399.110 Applicants Not Subject to Fees**

The following applicants are not subject to the fee schedule established in Section 399.120 below:

- a) Any Level III applicant; or
- b) Any Level I or II applicant whose submittal does not require a change in a facility planning area boundary.

**Section 399.120 Fee Calculation**

- a) The amount of the fees to be charged for Commission review under this Part are as follows:

- 1) Submittals involving 10 or fewer acres .....\$10.00/acre.
- 2) Submittals involving more than 10 acres but less than 20 acres .....
- 3) Submittals involving 20 acres or more .....

.....\$100.00.  
 .....The number of acres multiplied by the applicable rate established in Appendix A.

- b) The per acre rates established in this Section 399.120 are contingent upon the Commission receiving funding from the Agency in an amount sufficient for the Commission to recover, when combined with the fee paid pursuant to this Section, the Commission's costs of performing these reviews. If the Commission receives such funding from the Agency, the rates established in column A of Appendix A will apply. If the Commission does not receive sufficient funding from the Agency, the rates in column B of Appendix A will apply.

**Section 399.130 Manner of Payment**

- a) Payment of the fee must be made by check, independently for each request application, payable to Northeastern Illinois Planning Commission, and shall be submitted, along with the request application, to:

Northeastern Illinois Planning Commission  
 222 S. Riverside Plaza  
 Suite 1800  
 Chicago IL 60606

- b) Payment shall not include any fees due to the Commission for any purpose other than the fee due under Section 399.120 of this Part.
- c) No application will be processed without full payment of the applicable fee. If the application does not include full payment, the Commission will promptly contact the applicant to inform the applicant of the incomplete application.

**Section 399.140 Refund Agreements**

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- a) The Commission will complete a review within 90 working days after receipt of a complete application for a change in the boundaries of a wastewater facility planning area. Application completeness will be determined within four working days after receipt. *If the Commission fails to complete the review within the required time period, the review fee paid by the applicant shall be refunded in full to the applicant.* (Section 33.5(c) of the Act)
- b) *The 90 working day period may be extended by the applicant either by a request or an agreement with the Commission.* (Section 33.5(c) of the Act)
- c) If the applicant withdraws the application after the Commission has accepted the application for review, the fee will not be refunded.

Section 399.APPENDIX A Rates Charged Per Acre

Date Commission Receives Application	Column A (With Agency Funding pursuant to Section 399.120)	Column B (Without Agency Funding pursuant to Section 399.120)
6/1/94-5/31/95	\$5.06	\$8.25
6/1/95-5/31/96	\$5.33	\$8.69
6/1/96-5/31/97	\$5.61	\$9.16



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

- 1) Heading of Part: Prequalification of Contractors and Issuance of Plans and Proposals

- 2) Code Citation: 44 Ill. Adm. Code 650

- 3) Section Numbers: Adopted Action:

650.10	650.150	650.290	New Section
650.20	650.160	650.300	New Section
650.30	650.170	650.310	New Section
650.40	650.180	650.320	New Section
650.50	650.190	650.330	New Section
650.60	650.200	650.340	New Section
650.70	650.210	650.350	New Section
650.80	650.220	650.APPENDIX A	New Section
650.90	650.230	650.APPENDIX B	New Section
650.100	650.240	650.APPENDIX C	New Section
650.110	650.250	650.APPENDIX D	New Section
650.120	650.260	650.APPENDIX E	New Section
650.130	650.270		New Section
650.140	650.280		New Section

- 4) Statutory Authority: Implementing Section 6 of the Illinois Purchasing Act (Ill. Rev. Stat. 1991, ch. 127, par. 132.6) [30 ILCS 505/6] and Section 4-103 of the Illinois Highway Code (Ill. Rev. Stat. 1991, ch. 121, par. 4-103) [605 ILCS 5/4-103] and authorized by Section 4-201.1 of the Illinois Highway Code (Ill. Rev. Stat. 1991, ch. 121, par. 4-201.1 [605 ILCS 5/4-201.1] and Section 5.2 of the Illinois Purchasing Act (Ill. Rev. Stat. 1991, ch. 127, par. 132.5-2) [30 ILCS 505/5.2].

- 5) Effective date of rules: July 2, 1994

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this rule contain incorporations by reference? No

- 8) Date filed in agency's principal office: July 2, 1994

- 9) Notice of proposal published in Illinois Register:

February 25, 1994, 18 Ill. Reg. 3208

- 10) Has JCAR issued a Statement of Objections to these rules? No

- 11) Differences between proposal and final version:

JCAR had no substantive comments. Following are changes made to the rule per JCAR's technical comments:

The "s" at the end of the word "Authorizations" in Section 650.330 on the Table of Contents page has been deleted.

Spaces have been inserted between the words "Ill. Rev. Stat." in the statutory citations throughout the rule.

In the last line of the Authority Note, the reference to "par. 132.5.2" has been changed to "par. 132.5-2."

In Section 650.20, "Act," the statutory citations have been corrected. In the definition of "Director," "his designee" has been changed to "the Director's designee." In the definition of "Financial Statement," a comma after the word "liabilities" has been deleted. In the definition of "Parent," "which" has been changed to "that." In the definition of "Prequalification," a comma has been deleted in the fifth line of the definition. In the definition of "standard specifications," "which" has been changed to "that."

In Section 650.30(b), the word "prescribed" has been deleted before the word "forms." In subsection (f), the word "any" has been deleted before the phrase "bidding proposal forms." In subsection (g), the Department spelled out "Illinois" in the address.

In Section 650.50(b), "seven days from the date of ..." has been changed to "seven days after the date of..."

In Section 650.70, the Department deleted the word "where" twice in this paragraph and replaced it with "in which" and "in which a."

In Section 650.80(b), the Department deleted the "s" at the end of the word "approvals" in the last line.

In Section 650.110(a)(1)-(15), the Department deleted the word "that" at the beginning of each provision. In subsection (a)(9), the Department inserted "Section 6 of" in front of "the Drug Free Workplace Act ...." The statutory citations were corrected in subsection (a)(10) of this Section. Subsection 650.110(a)(11) now ends with a semicolon instead of a period.

The phrase "but not be limited to," has been changed to "but is not limited to," in Section 650.120(a). The period at the end of this subsection has been changed to a colon.

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In Section 650.130(a), the phrase "the following" has been changed to "those listed in this subsection (a).". The period at the end of this subsection has been changed to a colon.

In Section 650.130(a)(1)(E), a period has been added at the end of the sentence.

In Section 650.130(b), the phrase "the following" has been changed to "those listed in this subsection (b).". In subsection (b)(1) of this Section, the period has been changed to a semicolon. In subsection (b)(2), "or" is added at the end of the sentence.

In Section 650.140(c)(2)(A), (B) and (C), the semicolons are new.

In Section 650.150(a), a comma was deleted from the second line after the word "or."

In Section 650.160(a)(1), a period was deleted and the word "and" added.

In Section 650.170, third line, the comma has been moved. Also in subsection (a)(5), a comma has been removed and the word "State" is in lower case. This comment applies also in subsection (a)(7)(B). A comma was deleted at Section 650.170(b)(3) in the second to last line after the word "thereby."

At Section 650.170(c)(2)(C), the Department deleted a comma after the word "and." The word "individual" is now possessive in subsection (d)(1) of this Section. In subsection (d)(2), the Department added a comma in the first line after the word "disclose." In the last line of this subsection, "position" is now plural.

In Section 650.180, the Department corrected the spelling of the word "classification" in the middle of the paragraph. In subsection (a)(1)(D), the Department replaced the word "which" with the word "that." In subsection (a)(5)(B)(vi), the Department corrected the reference to the subsection cited here. In subsection (a)(6)(B)(ix), the Department added a comma after "(i.e. ...)."

In Section 650.180(b)(2)(C), the Department deleted a comma in the second line and changed "which" to "that."

In Section 650.190(a)(4), a comma was inserted in the parenthetical language.

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In Section 650.200(b)(2), the word "of" was deleted in the phrase "shall be of the same type."

In Section 650.210, the word "of" in the Section heading is now in lower case. In subsection (i) of this Section, the word "and" was inserted in the parenthetical.

In Section 650.240(c)(1), a comma has been inserted after "(i.e. ...)." In subsection (c)(4), the word "completely" in the seventh line has been changed to "completed."

The spacing of the acronym in the heading of Section 650.260 is corrected. In subsection (b)(3), the period has been changed to a colon. In subsection (c), sixth line, the word "which" has been changed to "that." In subsection (d), the comma after "quarry" has been changed to a semicolon.

In Section 650.280(i), the apostrophe was deleted from the word "Applicants" in the third to last line.

In Section 650.310(a), a semicolon has been inserted after the word "contractor" in the ninth line and the comma after "and" was deleted.

In Section 650.320(a)(3), the spacing of the references to "subsection (a)(2)" have been corrected.

In Section 650.330, in the Section heading, the word "Authorizations" is now singular.

In Section 650.340(c)(3), the Department is deleting ".00" in the second line. In the sixth line, "fifty one" is now "51."

In Section 650-Appendix A, work category number 8, the word "and" is replaced with the symbol "&." Under "Equipment Required" for "Bituminous Aggregate Mixtures," the provision now reads "... finishing machine and compaction equipment." Under "Paint Pavement Marking," "Equipment Required," the word "A" is deleted and the word "truck" is initially-capped. Same comment under "Thermoplastic Pavement Marking." Under "Demolition," "Equipment Required," a comma has been added after "... or front-end loader...."

In Section 650-Appendix C, the period has been removed from "(Example: A pledge against a stock or bond.)."

In Section 650-Appendix D, the period has been removed from "(Example: A pledge against a Certificate of deposit.)" and "(Example: A pledge against a stock or bond.)."



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- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes
- 13) Will this rule replace an Emergency Rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of rules: The Department of Transportation awards competitively bid contracts to the lowest responsible and responsive bidder. This Part establishes a uniform method for the Department of Transportation to make a preliminary determination of responsibility of potential contractors bidding on Department advertised projects to satisfactorily complete contracts awarded by the Department. This Part also establishes the mechanism by which proposals for bidding are issued. Additionally, this Part details the financial and work capacities of potential contractors to aid in the contract award process.

- 16) Information and questions regarding these adopted rules shall be directed to:

Mr. Robert Hinton, Bureau Chief  
Bureau of Construction  
Department of Transportation  
Division of Highways  
2300 South Dirksen Parkway, Rcom 322  
Springfield, Illinois 62764  
(217) 782-6667

The full text of the Adopted Rules begins on the next page:

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TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT  
AND PROPERTY MANAGEMENT  
SUBTITLE B: SUPPLEMENTAL PROCUREMENT RULES  
CHAPTER IX: DEPARTMENT OF TRANSPORTATION

## PART 650

PREQUALIFICATION OF CONTRACTORS AND  
ISSUANCE OF PLANS AND PROPOSALS

## SUBPART A: PREQUALIFICATION

Section	
650.10	Purpose
650.20	Definitions
650.30	Introduction to Prequalification
650.40	Application Requirements
650.50	Time for Submission
650.60	Public Disclosure of Contractor Information
650.70	Waiver of Prequalification
650.80	Issuance and Effect of Ratings
650.90	Effective Date of Ratings
650.100	Expiration Date of Ratings
650.110	Denial or Revocation of Ratings
650.120	Extension of Ratings
650.130	Revisions to Prequalification Ratings
650.140	Transfer of Prequalification Ratings
650.150	Reconsideration and Appeal
650.160	Financial Rating - General
650.170	Financial Statement
650.180	Balance Sheet Schedules
650.190	Other Factors Considered in Determining Financial Ratings
650.200	Methods of Improving a Financial Rating
650.210	Computation of Financial Rating
650.220	Work Rating - General
650.230	Determination of Work Ratings
650.240	Performance Factor
650.250	Experience Factor (EF)
650.260	Equipment Factor (EqF)
650.270	Capacity to Perform (CP)
650.280	Calculation of Work Ratings

## SUBPART B: ISSUANCE OF PLANS AND PROPOSALS

Section	
650.290	Advertising for Bids
650.300	Request for Proposal Forms and Plans; Authorization to Bid
650.310	Affidavit of Availability

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650.320 Analyzing Requests for Authorization to Bid  
 650.330 Issuance of Authorization to Bid  
 650.340 Joint Ventures  
 650.350 Denial of Authorization to Bid

650. APPENDIX A AVAILABLE WORK CATEGORIES  
 650. APPENDIX B REQUEST FOR EXTENSION OF PREQUALIFICATION RATINGS  
 650. APPENDIX C FINANCIAL PLEDGE LETTERS  
 650. APPENDIX D FINANCIAL VERIFICATION LETTER  
 650. APPENDIX E CORPORATE RESOLUTION

AUTHORITY: Implementing Section 6 of the Illinois Purchasing Act (Ill. Rev. Stat. 1991, ch. 127, par. 132.6) [30 ILCS 505/6] and Section 4-103 of the Illinois Highway Code (Ill. Rev. Stat. 1991, ch. 121, par. 4-103) [605 ILCS 5/4-103] and authorized by Section 4-201.1 of the Illinois Highway Code (Ill. Rev. Stat. 1991, ch. 121, par. 4-201.1) [605 ILCS 5/4-201.1] and Section 5.2 of the Illinois Purchasing Act (Ill. Rev. Stat. 1991, ch. 127, par. 132.5-2) [30 ILCS 505/5.2].

SOURCE: Adopted at 18 Ill. Reg. \_\_\_\_\_, effective JUL 0 2 1994.

## SUBPART A: PREQUALIFICATION

## Section 650.10 Purpose

- a) The purpose of this Part is to establish policies and procedures to allow the Illinois Department of Transportation (the Department) to fulfill its obligations to award all construction and maintenance contracts to the lowest responsive and responsible bidder by prequalifying contractors to determine their responsibility.
- b) A prequalification rating grants neither a license to do business nor a right to bid on or to be awarded a Department contract. It is a preliminary determination of the responsibility of a bidder, who is otherwise in compliance with the procurement rules of the Department, to do the work of a construction or maintenance contract advertised by the Department. Contractors prequalified by this Part may also be used by units of local government on contracts approved for letting and award by the Department.

## Section 650.20 Definitions

"Act" - The Illinois Purchasing Act (Ill. Rev. Stat. 1991, ch. 127, par. 132.1 et seq.) [30 ILCS 505].

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"Affidavit of Availability" - A sworn affidavit indicating all work under contract, pending awards, all subcontracts and value of subcontracts.

"Affiliate" - A member of a group of two or more companies related to one another through common ownership.

"Applicant" - Any prospective contractor who has applied for prequalification in compliance with the procedures delineated in this Part.

"Application for Prequalification" - A package of forms titled "Contractor's Statement of Experience and Financial Condition" (Form BC-8) required to be submitted by an applicant in support of its request for a prequalification rating.

"Available Bidding Capacity" - The applicable available work ratings and the available financial rating.

"Available Financial Rating" - Financial rating as indicated on the Certificate of Eligibility less the total value of all uncompleted work to be done with the applicant's own forces and work subcontracted to others.

"Available Work Rating" - The work rating in a particular category as indicated on the Certificate of Eligibility less all similar uncompleted work to be done with the applicant's own forces (for a listing of available work categories, see Section 650. Appendix A).

"Certificate of Appraiser" - The certification by an appraiser that the appraisal is performed with no direct or indirect interest, financial or otherwise, in the business of the applicant.

"Certificate of Eligibility" - A certificate issued to the applicant by the Department indicating the applicant's financial rating, work ratings and the effective period of prequalification.

"Combined Financial Statement" - The accounting data of affiliated companies combined to form a single economic entity.

"Consolidated Financial Statement" - The accounting data of parent and subsidiary companies combined to form a single economic entity.

"Contract" - The written agreement between the Department and the contractor setting forth the obligations of the parties thereunder, including, but not limited to, the performance of the



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work, the furnishing of labor and materials, and the basis of payment. The contract consists of the invitation for bids, the proposal, the letter of award, the contract form and contract bond, any specifications and supplemental specifications, any special provisions, any general and detailed plans, and all agreements that are required to complete the construction of the work, including contract time - all of which constitute one instrument.

"Contractor" - The individual, partnership, or corporation contracting with the Department for performance of prescribed work. An applicant which has been issued a Certificate of Eligibility.

"Department" - The Illinois Department of Transportation.

"Department of Human Rights Identification Number" - A number assigned to an applicant who has prequalified with the Department of Human Rights.

"Director" - The Director of the Division of Highways or the Director's designee.

"District Engineer" - The engineer in charge of one of the nine districts of the Department in which the work of a contract is located.

"Engineer of Construction" - The individual responsible for directing the development of the Department's highway construction policies which assure uniform practices, interpretation and applications in Illinois.

"Financial Rating" - The measured ability of an applicant to sustain adequate cash flow for the duration of an awarded contract based on the submitted application for prequalification.

"Financial Statement" - A complete report of the applicant's financial status set forth on a balance sheet displaying the applicant's assets, liabilities and net worth.

"Joint Venture" - Two or three contractors combining their available financial and work ratings for the purpose of bidding a construction project.

"Letter of Subordination" - A signed statement from a stockholder, officer, director, employee, parent, subsidiary or

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affiliate agreeing not to withdraw a specific amount of money loaned to the applicant during the period of prequalification.

"Net Worth" - Total assets minus total liabilities.

"Official Newspaper" - The one designated as such by the Department of Central Management Services.

"Parent" - A corporation that owns more than half of the stock of another corporation.

"Prequalification" - The rating process established by the Department which requires all prospective bidders to obtain a Certificate of Eligibility prior to being considered for issuance of bidding proposal forms and plans for any contract awarded by the Department, as well as contracts awarded by local agencies requiring approval of award by the Department.

"Prequalification Section" - The section within the Bureau of Construction of the Department responsible for determining financial ratings, work ratings, and the issuance of bidding proposals.

"Request for Proposal Forms and Plans and Request for Authorization to Bid" - A form provided by the Department to assist a contractor in making a formal request for plans and proposal forms, and subsequent authorization to bid on one or all of the proposals requested.

"Service Bulletin" - The public document which is the official publication and invitation issued by the Department for bids on construction projects.

"Specialty Items" - Items that are designated in the contract documents that are considered to require specialized construction techniques that are not ordinarily available in contracting organizations qualified to bid.

"Standard Specifications" - A Department publication entitled Standard Specifications for Road and Bridge Construction that sets forth the contract provisions for road and bridge construction.

"Subsidiary" - A corporation having more than half of its stock owned by another corporation.

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"Unlimited Rating" - A financial rating in excess of \$75 million or a work rating in excess of \$25 million.

"Working Capital" - Current assets less applied discounts and current liabilities.

"Work Rating" - The dollar value of work of a particular category of construction that an applicant can perform with his/her organization and equipment in one construction season.

## Section 650.30 Introduction to Prequalification

a) As required by this Part, each bidder shall be prequalified prior to being considered for issuance of an Authorization to Bid on contracts advertised by the Department.

b) Except as otherwise provided in Section 650.70 of this Part, in order to become prequalified, an applicant shall submit an application for prequalification using the forms furnished by the Department.

c) Upon receipt of a completed application, the Prequalification Section evaluates the information and calculates a prequalification rating for the applicant.

d) The prequalification rating is a combination of two subratings: the financial rating and the work rating. The policies and procedures used by the Prequalification Section to determine these two subratings are delineated in this Subpart.

e) After the Prequalification Section determines the applicant's prequalification ratings, the applicant is issued a Certificate of Eligibility. This certificate permits the applicant, now a prequalified contractor, to make application for Authorization to Bid on contracts within the contractor's available bidding capacity in accordance with Subpart B of this Part.

f) Pursuant to the Act, an applicant must also be prequalified or submit evidence of application with the Illinois Department of Human Rights (IDHR) prior to obtaining bidding proposal forms and plans for contracts which are subject to the competitive bidding requirements of the Act. Information and forms concerning the rules of IDHR may be obtained from:

Illinois Department of Human Rights  
Public Contracts Division

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100 West Randolph - Suite 10-100  
Chicago, Illinois 60601  
(312) 793-2431

g) Pursuant to Section 13.05 of the Business Corporation Act of 1983 (Ill. Rev. Stat. 1991, ch. 32, par. 13.05) [805 ILCS 5/13.05], out-of-state contractors are required to secure a certificate from the Illinois Secretary of State authorizing them to do business in Illinois. The certificate must be obtained prior to the execution of a contract. Application forms can be obtained from:

Illinois Secretary of State  
Corporation Division  
Centennial Building  
4th Floor  
Springfield, Illinois 62756  
(217) 782-1834

## Section 650.40 Application Requirements

a) The Department shall furnish an application for prequalification to all prospective contractors who request such material. Requests shall be made by letter or telephone to:

Illinois Department of Transportation  
Bureau of Construction, Prequalification Section  
2300 South Dirksen Parkway, Room 322  
Springfield, Illinois 62764  
(217) 782-6667

b) An application for prequalification shall be submitted on the form furnished by the Department and in accordance with this Part.

c) An application for prequalification shall consist of the following information:

- 1) The applicant's name, address, telephone number and telefax number;
- 2) The applicant's Federal Employer's Identification Number (F.E.I.N.) or social security number if the applicant does not have a F.E.I.N.;
- 3) The applicant's Illinois Department of Human Rights Identification Number;



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- 4) The applicant's completed Statement of Experience and Financial Condition.
- 5) All other information required by this Part or requested by the Prequalification Section.

## Section 650.50 Time for Submission

- a) The Department's Prequalification Section must receive the completed application for prequalification no later than 4:30 p.m. prevailing time no later than twenty-one days prior to the scheduled date of the letting for which the applicant desires to bid. If the day of receipt falls on a holiday, the following work day will determine the cut-off. The Department gives public notice of the letting dates and cut-off dates in the Service Bulletin. The Prequalification Section will make its determination at least three days prior to the relevant letting date. Additional information to amend current prequalification ratings is also subject to the above submission requirements.
- b) If additional projects are advertised for a letting through the issuance of a supplemental bulletin, the day of receipt for application forms or additional information is seven days after the date of issuance of the supplemental bulletin to submit bids on those projects advertised in the supplemental bulletin.

## Section 650.60 Public Disclosure of Contractor Information

The Department will, to the extent permitted by law, maintain and treat all of the contractor's information as confidential and for use only by the Department or other governmental agencies entitled by law or by agreement to use such information.

## Section 650.70 Waiver of Prequalification

Prequalification may be waived for selected contracts advertised in the Service Bulletin. In such contracts, the manner of determining bidder responsibility will be stated in the advertised contract and Service Bulletin. Contracts in which such waiver may be made include, but are not limited to, contracts which require specialized skills not covered by available work categories, contracts for furnished manufactured products or contracts in which a waiver is necessary to achieve sufficient competition. However, contractors must still obtain an Illinois Department of Human Rights identification number and comply with the procedures of Subpart B of this Part.

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## Section 650.80 Issuance and Effect of Ratings

- a) Once the Prequalification Section has completed its analysis of all information relevant to the determination of ratings and has established the ratings of the applicant, a Certificate of Eligibility will be issued to the applicant. A copy of the Certificate of Eligibility will be provided to requesting units of local government.
- b) The Certificate of Eligibility permits the prequalified contractor to make application for bidding proposal forms and plans for contracts in accordance with the procedures of Subpart B of this Part. The Certificate of Eligibility may be used by units of local government as evidence of contractor eligibility to bid on contracts advertised and awarded by the units of local government with approval by the Department as required by law.
- c) The Certificate of Eligibility and the ratings therein confer neither a license nor a right to bid on or to be awarded a contract. Prequalification is an initial, preliminary determination of responsibility which must be finally determined at the time of award and execution of a contract advertised by the Department or at the time of approval in the case of contracts subject to Department approval by law.

## Section 650.90 Effective Date of Ratings

The effective date of a Certificate of Eligibility shall be the date on which the ratings are determined and approved unless the application or additional information is received during the prequalification cut-off period (see Section 650.50 of this Part) in advance of a letting. In that instance, the effective date shall be the day following the letting or the date on which the ratings are determined and approved, whichever is later.

## Section 650.100 Expiration Date of Ratings

All prequalification ratings issued by the Department will expire sixteen months from the date of the financial statement (balance sheet). The expiration date of current ratings will be shown on the Certificate of Eligibility issued to the contractor. Four months prior to the expiration date of the Certificate of Eligibility, the Department will mail application forms to the prequalified contractor for its use if it intends to submit a renewal application in accordance with Section 650.50 of this Part. The provisions of this Part shall apply to all current prequalification ratings issued before the adoption of this Part.



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## Section 650.110 Denial or Revocation of Ratings

a) Prequalification ratings will be denied, or previously issued ratings will be revoked, in the event the Department finds the applicant or contractor to be nonresponsible. Reasons or events for a finding of nonresponsibility include but are not limited to the following. The Department shall be notified by the applicant or prequalified contractor of any information known to them which is relevant to any of the following reasons:

- 1) the applicant failed to provide complete information regarding each item and schedule set forth in the application for prequalification or otherwise requested by the Department;
- 2) the applicant provided false information regarding the application;
- 3) the applicant is suspended pursuant to Section 6(d) of the Illinois Purchasing Act (Ill. Rev. Stat. 1991, ch. 127, par. 132.6(d)) [30 ILCS 505/6(d)] by the Department or another State agency;
- 4) the applicant is suspended or debarred by the United States through a federal agency;
- 5) the applicant is suspended by the Department of Labor pursuant to Section 11a of the Prevailing Wage Act (Ill. Rev. Stat. 1991, ch. 48, par. 395-11a) [820 ILCS 130/11a];
- 6) the applicant is suspended or debarred because of bid rigging or bid rotating convictions pursuant to the provisions of Article 33E of the Criminal Code of 1961 [720 ILCS 5/33E];
- 7) the applicant is debarred by the operation of the anti-bribery provisions of Section 10.1 of the Illinois Purchasing Act (Ill. Rev. Stat. 1991, ch. 127, par. 132.10-1) [30 ILCS 505/10.1];
- 8) the applicant is suspended by operation of the anti-felony conviction provisions of Section 10.3 of the Illinois Purchasing Act (Ill. Rev. Stat. 1991, ch. 127, par. 132.10-3) [30 ILCS 505/10.3];

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- 9) the applicant is suspended or debarred pursuant to the operation of Section 6 of the Drug Free Workplace Act (Ill. Rev. Stat. 1991, ch. 127, par. 132.316) [30 ILCS 580/6];
  - 10) the applicant is an individual and debarred by operation of the Educational Loan Default Act (Ill. Rev. Stat. 1991, ch. 127, par. 3551 et seq.) [5 ILCS 385];
  - 11) the applicant is prequalified in an unaudited status and is awarded \$600,000 in transportation contracts during a twelve month period;
  - 12) the applicant has failed to comply with the requirements of this Part;
  - 13) the applicant has filed for protection from creditors pursuant to the bankruptcy laws of the United States;
  - 14) the applicant's performance evaluation is at or below the levels provided in Section 650.240(e) and (f) of this Part; or
  - 15) the applicant has failed to execute a contract after award or has defaulted on any contract or contracts awarded or approved for award by the Department after the adoption of this Part.
- b) If an application is denied or prequalification is revoked by the Department, the applicant shall be sent a notice of denial or revocation in lieu of a Certificate of Eligibility setting forth the reason or reasons for denial or revocation.

## Section 650.120 Extension of Ratings

- a) A temporary extension of prequalification ratings due for expiration may be granted by the Department for good cause which may include, but is not limited to, the following examples:
  - 1) The contractor has changed the fiscal year end of the company.
  - 2) The contractor has changed the certified public accountant who will perform the audit after the audit has started.
  - 3) The contractor has been granted an extension for filing taxes by the Internal Revenue Service.

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- e) Extensions of sixty or ninety days will not be granted if the adjusted trial balance sheet shows more than a 20 percent reduction in the contractor's financial rating.
- f) Extensions of thirty, sixty or ninety days will not be granted if such extensions have been granted for two consecutive prior ratings before the current request.
- g) Extensions will not be granted to contractors who are prequalified in an unaudited status or contractors who are changing from an audited status to an unaudited status.

- 4) The contractor's records have been destroyed by fire, wind, water, or such other similar event beyond the contractor's control.
- 5) The contractor's certified public accountant requests an extension of time because of a heavy workload of tax returns.
- 6) The contractor's certified public accountant is unable to complete the audit due to his/her illness.
- 7) The certified public accountant is unable to complete the audit due to illness of the sole owner, stockholder, officer or director of the company being audited.

Section 650.130 Revisions to Prequalification Ratings

- a) Revision to the financial rating may be necessary during the period it is in effect if there has been a change in status of the contractor due to reasons or events including but not limited to those listed in this subsection (a). The Department may require a contractor to file a new financial statement at any time it considers such action to be warranted. The statement shall be filed within thirty days of such request. The prequalification of a contractor who fails to file the requested information will be revoked pursuant to Section 650.110 of this Part. The Department shall be notified by the contractor when it has knowledge of any of the following reasons or events:

- 8) The contractor has a minor organizational change involving ownership, officers or directors without financial impact. An extension will not be granted due to organizational changes involving an acquisition by the contractor.
- 9) The contractor changes from individual to corporate status.
- 10) The contractor changes from partnership to corporate status.

- 1) The contractor has an organizational change involving ownership.
- 2) The contractor acquires or is acquired by another company.
- 3) The contractor incurs equipment or plant expenditures through purchase, lease or rental which totals 5 percent or more of the calculated value of the financial rating for a period of one year after the date of the financial statement. Notification of an equipment or a plant purchase should include the following:

- b) A request for an extension must be received by the Department in writing no later than 4:30 p.m. prevailing time on the day of expiration of the prequalification ratings. If this day falls on a holiday or weekend, then the following work day will determine the cut-off. The exception for accepting receipt of an extension request is the twenty-one day prequalification period in advance of a letting established in Section 650.50 of this Part. Extensions will not be granted if the request for extension is received during the twenty-one day prequalification cut-off period in advance of a letting and the prequalification ratings expire prior to that letting.
- c) Extensions will be given in thirty day increments with the maximum extension being ninety days.

- A) Description (i.e., make, model, year, serial number and size or capacity);

- B) Purchase date;

- C) Purchase price;

- D) Book or appraised value; and

- d) Requests for a thirty, sixty or ninety day extension shall include:

- 1) A letter from the certified public accountant detailing the reason for the request (see Section 650. Appendix B of this Part).

- 2) Submittal of an adjusted trial balance sheet as of the audit date. This shall be provided by the certified public accountant for sixty and ninety day extension requests only.

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- E) Financial transaction (i.e., cash purchase or how financed).
- 4) Reduction of any subordinated long term notes or accounts payable.
- 5) Reduction of any long term notes before their due date.
- 6) The contractor incurs unanticipated stock repurchases within the period of one year after the date of the financial statement.
- 7) Contingent liabilities which are paid within one year of the financial statement.
- 8) Payment of the cash surrender value of life insurance.
- 9) The contractor incurs a judgment against it due to a lawsuit.
- 10) The contractor defaults on a loan agreement which is encumbered or pledged by current or fixed assets of the firm.
- 11) The contractor defaults on a contract not awarded or approved for award by the Department.
- 12) The contractor has experienced an event which has a present or future financial impact or reduction in working capital during the prequalification period. Subsequent events which represent a present or possible future reduction in working capital during the prequalification period will be reviewed and the Department will issue new ratings if the reduction in working capital exceeds 30 percent. The Department may request verification from the CPA when applicable.

b) Revision to a work rating may be necessary during the period it is in effect for events or reasons including but not limited to those listed in this subsection (b). The Department may require the contractor to provide additional information or verification of information affecting a work rating at any time it considers such actions to be warranted. Failure to provide requested information will result in revocation pursuant to Section 650.110 of this Part. The Department shall be notified if any of the following occur:

- 1) Departure of key staff;
- 2) Sale of equipment required to maintain the work rating; or

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- 3) Cancellation of an equipment lease or rental required to maintain the work rating.
- c) No revision of a prequalification rating requested by a contractor will be effective for a particular letting unless a revised application for prequalification or other supplemental information pertaining to changes is received within the time specified by Section 650.50 of this Part.
- d) Revision of a prequalification rating initiated by the Department shall be effective when issued.
- e) A revision involving the name, phone number or address of a contractor will not affect prequalification ratings. However, the Department should be notified of these changes as soon as they occur.

Section 650.140 Transfer of Prequalification Ratings

- a) When corporations share common stock ownership, and all corporations are prequalified by the Department, the rating of each company may be interchanged. The portion of the rating transferred may not exceed the level of common ownership expressed as a percentage. For example, 40 percent of the stock of Company A and 30 percent of the stock of Company B are owned by the same stockholder. In this case, up to 40 percent of Company A's rating may be transferred to Company B, and up to 30 percent of Company B's rating may be transferred to Company A.
- b) Prequalified corporations may elect to be treated as affiliated for the purpose of rating transfer. In order for a company to be treated as affiliated with another, at least 51 percent of each class of stock shall be owned by the same stockholder or the same entity. The transferee need not be the wholly owned subsidiary of the transferor; all that need be established for purposes of a prequalification transfer is 51 percent controlling stock ownership between the companies. For example, 51 percent of the stock of Company A and 100 percent of the stock of Company B are owned by the same stockholder. In this case, all or part of Company A's rating may be transferred to Company B and all or part of Company B's rating may be transferred to Company A if the companies elect to be treated as affiliates for prequalification purposes. Otherwise, the companies may still follow the limited rating transfer of the common stock ownership rule which would limit Company A's transfer to 51 percent.



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## c) Some conditions are common to both rating transfer methods.

- 1) The financial statement (balance sheet) of both the transferor and the transferee shall have a common date.
- 2) The request to transfer prequalification ratings shall be in writing from the transferor and shall include the following:
  - A) The amount of financial rating or work rating(s) to be transferred;
  - B) The extent of common ownership between the companies;
  - C) A statement that the transfer is for the remaining duration of the prequalification period; and
  - D) The signature of the transferor.
- 3) Corporations shall provide a corporate resolution which authorizes the transfer of prequalification ratings (see Section 650. Appendix E of this Part).
- 4) A parent company shall submit the Certified Assumption and Guarantor Agreement contained in the application for prequalification when transferring a financial rating to a subsidiary.
- 5) The rating of the transferor will be reduced by the amount of increase in the transferee rating.
- 6) A contractor with an unaudited rating may not receive a financial rating transfer which causes its prequalification rating to exceed the \$350,000 limit.
- 7) A contractor with an unaudited rating may not transfer a financial rating to a contractor with an audited rating.
- 8) Only one transfer of ratings between the same transferor and transferee will be recognized during the prequalification period.
- 9) No transfer of a prequalification rating requested by a contractor will be effective for a particular letting unless evidence (in the form of a written request) is received within the time specified by Section 650.50 of this Part.

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## Section 650.150 Reconsideration and Appeal

- a) If an applicant is denied ratings, a contractor has its ratings revoked, a contractor has its ratings revised, or an applicant is issued incorrect ratings on a Certificate of Eligibility, the applicant or contractor may request reconsideration by notifying the Prequalification Section by filing a written Request for Reconsideration within thirty days of the issue date on the face of the Certificate or of the date on the notification of denial or revocation.
- b) A Request for Reconsideration shall clearly state the basis of the request and be supported by information of the type required by this Part which would indicate that the ratings should be amended or that the action of the Prequalification Section should be modified or reversed.
- c) The Engineer of Construction will review the Request for Reconsideration and the applicant or contractor shall provide any additional requested information for purposes of the review. The review will be completed within 14 days after receipt unless the Engineer extends the time for review in order to provide for a full and complete review. Upon completion of the review, the Engineer of Construction shall notify the applicant of the results and provide the applicant or contractor with an amended Certificate of Eligibility or written confirmation of the previous determination or action including an explanation of the reasons for the confirmation.
- d) If the applicant or contractor remains unsatisfied with the results of the Engineer of Construction review, the applicant or contractor may file a written appeal to the Director within fourteen days of the date of the Engineer of Construction final action.
- e) The appeal shall state with specificity the basis of the appeal and the reasons why the decision of the Engineer of Construction is incorrect. No new issues may be raised. The appeal shall further state whether the applicant or contractor requests an opportunity to make a verbal presentation to the Director.
- f) The Director will review all information submitted with the appeal and will consider the verbal presentation of the applicant or contractor. The appeals will be completed within 14 days after receipt unless the Director extends the time in order to provide for a full and complete review. The Director will notify the

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applicant or contractor of his decision in writing and shall include an explanation of the reasons for the decision. The decision of the Director shall be final.

## Section 650.160 Financial Rating - General

- a) The financial rating serves two functions.
  - 1) To measure the applicant's ability to sustain cash flow for the duration of an awarded contract and
  - 2) To indicate the maximum amount of uncompleted work that the applicant may have under contract at any one time.
- b) When computing an applicant's financial rating, the Department utilizes the financial statement submitted by the applicant as part of the application for prequalification.
- c) The Department shall consider any applicant with a net worth of \$20 million or a financial rating in excess of \$75 million to have an unlimited financial rating.

## Section 650.170 Financial Statement

An applicant may obtain a financial rating in either an audited or unaudited status. Audited financial information provides the Prequalification Section with reliable information, whereas unaudited financial information is subject to certain restrictions as provided for in subsection (c) of this Section.

## a) Audited Status

The Department will require all applicants seeking an audited status to adhere to the following:

- 1) An applicant shall submit the Department's "Certificate of Accountant" with the completed financial statement. An Independent Auditor's Opinion Letter is acceptable in lieu of the Certificate of Accountant, if the applicant desires to submit only the balance sheet and auditor's notes.
- 2) All data shall be secured from an audit conducted no more than twelve months prior to the time the financial statement is received by the Department.
- 3) Financial statements which are only compiled or reviewed by a CPA are not accepted for prequalification in an audited status.

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- 4) The audit of the applicant's records shall be conducted in accordance with the accounting principles approved by the American Institute of Certified Public Accountants (AICPA) as published in "Statement of Auditing Standards No. 48: Omnibus Statement on Auditing Standards," AICPA, January, 1989.
- 5) The financial statement shall be prepared by a Certified Public Accountant (CPA) who has been licensed by the Illinois Department of Professional Regulation or an out-of-state CPA who has been issued a license by that state. A financial statement will be considered unaudited if prepared by a non-licensed CPA.
- 6) No certified financial statement will be accepted which has been prepared by an accountant who has a direct or indirect interest, financial or otherwise, in the business of the applicant submitting the statement.
- 7) The applicant shall submit a report prepared by the CPA who conducted the audit if the Department's Certificate of Accountant is not submitted. The report shall contain the following information:
  - A) name, address, and telephone number of the accounting firm involved with the audit;
  - B) the license number, state of license, expiration date of license and signature of the CPA conducting the audit;
  - C) the date of audit;
  - D) the degree of responsibility assumed by the CPA; and
  - E) the accountant's opinion (see subsection (b) of this Section).
- b) Opinion of Certified Accountant
 

An accountant's opinion is a report that either contains an expression of opinion regarding the financial statements, taken as a whole, or an assertion to the effect that an overall opinion cannot be expressed. When the latter occurs, the CPA should state the reasons. There are several types of opinions a CPA can issue:

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1) Unqualified opinion - an opinion which contains no exceptions or subjections and conveys the CPA's belief that the financial statement presents a fair and accurate statement of the applicant's financial position. An unqualified opinion is the most desirable because it allows the applicant to obtain audited status. Additionally, the unqualified opinion enables the Department to accept the applicant's financial statement with the confidence that the audit was conducted in accordance with generally accepted auditing standards; that the CPA acquired all the information necessary to render an informed opinion; and, that the same accounting principles were used as those used in the preceding year.

2) Qualified opinion - an opinion which contains an exception or subjection. An exception indicates that the CPA is not in agreement with a certain accounting principle, while a subjection indicates that accounting principles were circumvented due to an uncontrollable circumstance, such as pending litigation. When a qualified opinion is in order, the CPA shall express the reason(s) for the qualification, the approximate amount involved, and the overall effect on the financial statement. Depending on the impact of these three factors, the Department may or may not accept the opinion for prequalification purposes. If the Department chooses not to accept the opinion, the applicant's financial statement will preclude prequalification in an audited status.

3) Adverse opinion - an opinion expressing the CPA's belief that the applicant's financial statement does not present a fair and accurate statement of the applicant's financial position and any resulting exceptions are so material that the CPA cannot justify issuing a qualified opinion. Pursuant to the rendering of an adverse opinion, the CPA shall disclose all substantive reasons for issuing such an opinion in his report. The Department shall view the applicant's financial statement as unaudited, thereby precluding prequalification in an audited status.

4) Disclaimer of opinion - a report used when a CPA believes an opinion cannot be expressed. Pursuant to the rendering of a disclaimer, the CPA shall present the reasons for refusing to express an opinion, such as client imposed restrictions. The Department shall view the applicant's financial statement as precluding prequalification in an audited status.

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## c) Unaudited Status

The Department will require all applicants seeking an unaudited status to adhere to the following:

- 1) The unaudited status is subject to the following limitations:
  - A) the applicant's financial rating shall be limited to no more than \$350,000;
  - B) the applicant shall not have been awarded more than \$600,000 in transportation contracts, including Local Agency Motor Fuel Tax contracts, during any twelve month period. If this condition occurs subsequent to the issuance of a Certificate of Eligibility, the prequalification ratings will automatically expire.
- 2) The financial statement shall be prepared by either the applicant or an accountant. It is not necessary that the statement be prepared and certified by a licensed accountant. The financial statement:
  - A) must be prepared from data secured from the applicant's records;
  - B) must not be more than twelve months old at the time of receipt by the Department;
  - C) must be completed and in balance; and
  - D) the financial information release must be completed and submitted by the applicant's financial institution to verify account balances.
- d) Interest in Other Contracting Firms
  - 1) If an individual, a member of a partnership, or an officer or director of a corporation is interested financially in more than one company, the accountant shall submit a letter explaining such interest, the extent of the investment, and the individual's relationship with such companies. The Department may require these individuals to furnish financial statements from these companies as of the same date as the financial statement submitted by the applicant requesting prequalification.



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- 2) Each applicant shall disclose, in the application for prequalification, the name of each individual having a beneficial interest of 7 1/2 percent or more in the firm seeking prequalification. If the company is a corporation, the name of all the officers and directors and their respective positions shall be disclosed.

## Section 650.180 Balance Sheet Schedules

In order to provide for the determination of ratings in as objective a manner as possible, the Department has established specific evaluations and classifications for a number of financial rating items. The value attached to the affected financial rating items shall be calculated by decreasing its face value by the discount established in this Part for that item. Where a valuation or classification materially affects an applicant's financial rating, and insufficient information has been submitted, the Department may ask for clarification or substantiation of a classification made by the accountant in preparing the statement. The various financial rating items and their corresponding discounts are delineated as follows:

## a) Current Assets

## 1) Schedule A - Cash

Cash includes currency, personal checks, bank drafts, money orders, cashiers checks and money on deposit with banks. The Department classifies cash as a current asset and attaches no discount, provided:

- A) Deposits made for a sole proprietorship are held in the name of either the proprietor solely, or jointly with the proprietor's spouse.
- B) Deposits made for a partnership are held either in the name of any of the general partners, or in the name of the partnership.
- C) Deposits made for a corporation are held in the name of the corporation only.
- D) Deposits are free of debt or obligation. Certificates of deposits and other cash assets that are pledged will be discounted by the amount of debt or obligation.
- 2) Schedule B - Notes Receivable

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Notes receivable will be evaluated and classified as follows:

- |  |             |
|--|-------------|
| A) Secured notes receivable due within one year  | Discount 0% |
| B) Unsecured notes receivable  | 100%        |
| C) Any note receivable, or portion thereof, which will not be due and payable or is not expected to be collected within one year from the statement date | 100%        |
| D) Notes receivable from stockholders, officers, directors, employees, parent, subsidiaries and affiliates   | 100%        |

## 3) Schedule C - Certified and Cashier's Checks on Deposit

Deposits which may be included are those which are expected to be refunded within the current period or upon request of the depositor. An example is a deposit for a proposal guarantee. Purchase deposits on real estate and equipment will be included in determining the value of those fixed assets. All other deposits will be discounted 100 percent.

## 4) Schedule D - Accounts Receivable - Contracts

Accounts receivable from federal and State agencies for all contracts, and from local agencies for transportation contracts are considered as current assets regardless of the contract completion date. If the applicant has completed work not covered by current pay estimates and an item for such work is shown, the accountant shall obtain evidence in writing from the parties for whom the work was performed to justify such an item. Accounts receivable shall be evaluated as follows:

- |  |             |
|--|-------------|
| A) From federal and State agency contracts and local agency transportation contracts.                | Discount 0% |
| B) From contractors on federal and State agency contracts and local agency transportation contracts. | 0%          |

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- C) From other contracts or entities. 10%
- D) Work completed but unbilled (other entities). 10%
- E) Over one year old (other entities). 100%
- 5) Schedule E - Other Accounts Receivable
- A) Any other account receivable, such as claims for tax refunds, will be carefully considered to determine whether it constitutes an authentic receivable and is collectible within one year.
- B) Other accounts receivable shall be evaluated as follows:
- |   | Discount |
|---|----------|
| i) Accounts receivable offset by accounts payable.  | 0%       |
| ii) Income tax refunds.   | 0%       |
| iii) Judgements and insurance claims receivable.  | 100%     |
| iv) Accounts receivable over one year old.  | 100%     |
| v) Accounts receivable from stockholders, officers, directors and employees.  | 100%     |
| vi) Accounts receivable from parent, subsidiaries and affiliates. (See the exception to this discount in subsection (a)(5)(B)(vii) of this Section.)  | 100%     |
| vii) Accounts receivable from prequalified parent subsidiaries and affiliates whose financial statement date corresponds to the prequalifying company and whose financial statement shows a corresponding accounts payable. | 0%       |
| C) Total discounts for accounts receivable will be offset by any allowance established for bad debt.  |          |

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- D) In determining whether the status of a receivable is current, reference will be made to the previous statements submitted by the applicant. The appearance of an item on two or more successive statements indicates that the receivable is not current and perhaps uncollectible. Therefore, the receivable will be considered noncurrent.
- 6) Schedule F - Stocks and Bonds
- A) In listing stocks, bonds, investments, etc., in Schedule F, the accountant shall show as separate items the applicant's investments in other contracting firms.
- B) Stocks, bonds and other investments are evaluated and classified as follows:
- |  | Discount       |
|--|----------------|
| i) Municipal, State and U.S. Bonds (cash surrender value)  | 0%             |
| ii) U.S. Treasury Bills (cash surrender value)   | 0%             |
| iii) Repurchase agreements   | 0%             |
| iv) Annuities and Individual Retirement Accounts   | 10%            |
| v) Stocks, bonds and investments, including commercial paper (book value shown on balance sheet) (market value shown on balance sheet) | 25%<br>33 1/3% |
| vi) Special Assessment vouchers - tax anticipation warrants  | 25%            |
| vii) Stocks of parent, subsidiaries, affiliates, etc., which are themselves prequalified   | 100%           |
| viii) Nonmarketable equities - defined as equities not readily available for public sale   | 100%           |

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ix) Stock in civic organizations or social clubs (i.e., country club, co-op stock, etc.) 100%

x) Artwork and collections 100%

## 7) Schedule G – Material in Stock

A) Inventories are evaluated and classified as follows:  
Discount

i) Verified value of material in stock for current contracts except sod and growing nursery stock 0%

ii) Verified value of other material in stock 10%

iii) Verified book or appraised value of sod and growing nursery stock 50%

B) In completing Schedule G, the accountant shall exclude the value of any material for which a material allowance has been paid.

## 8) Schedule H – Cash Surrender Value of Life Insurance

Cash surrender value, not face value, of life insurance is considered a current asset provided the amount of any policy loan is considered as a current liability.

## 9) Schedule I – Prepaid Items

All prepaid items will be discounted 100%.

## 10) Schedule J – Relation of Billings and Costs

A) This schedule is established for the convenience of those contractors that report income for Federal tax purposes on the cash method (completed contract), but who prepare financial statements on the accrual method (percentage of completion).

B) Where the applicant classifies his billings in excess of costs as a fixed or other liability, the Department shall reclassify it as a current liability.

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C) The discount applied to billings and costs by the Department is as follows:

Discount

Costs in excess of billings  
(current assets) 10%

## b) Fixed Assets

## 1) Schedule K – Real Estate

A) No consideration is given if title-held land and improvements are not verified by the certified public accountant for audited financial statements.

B) The allowance for real estate is the value of title-held land and improvements less long term encumbrances from commercial lending institutions times a factor of 50 percent.

C) The value may be based on an accredited real estate appraisal which is not more than 24 months old at the time of receipt by the Department. The appraiser's background, experience and references must be submitted. The information on the appraiser is not required if a tax assessment value is provided.

D) An applicant shall submit the Department's Certificate of Appraiser.

E) If an appraisal is not submitted or accepted, the allowance will be based on book value.

F) If the net appraised or book value is less than long term encumbrances, no reclassification of excess encumbrance will be made to current liabilities if current year's payments are provided for in current liabilities.

G) No allowances are given for oil leases, leasehold improvements, mineral leases or land lease prepayments.

## 2) Equipment

A) In the case of audited financial statements, the



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accountant shall verify the correctness of the equipment schedule. All equipment which is still serviceable, even though fully depreciated, shall be included and listed by classification such as graders, scrapers, front-end loaders, bulldozers, cranes, etc.

B) The allowance for equipment is the value of owned construction equipment, including purchase deposits and capital leases, less long term encumbrances to commercial lending institutions times a factor of 70 percent. No value will be given for operating leases or rental equipment.

C) The value may be based on an accredited equipment appraisal (physical inspection) that is not more than 24 months old at the time of receipt by the Department. The appraiser's background, experience and references shall be submitted.

D) An applicant shall submit the Department's Certificate of Appraiser.

E) If an appraisal is not submitted or accepted, the allowance will be based on book value.

F) The accountant may restate any accelerated depreciated value to straight-line depreciation for determining book value.

G) If the net appraised or book value is less than long term encumbrances, no reclassification of excess encumbrance will be made to current liabilities if current year's payments are provided for in current liabilities.

## c) Schedule L - Other Current or Fixed Assets

If an applicant lists other assets not described in this Part, they shall be described in sufficient detail to be considered. Allowances for this category include, but are not limited to, the following:

1) Nonconstruction equipment  
(classify to equipment)

Discount

0%

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- |    |   |      |
|----|---|------|
| 2) | Accrued interest and dividends  | 10%  |
| 3) | Grain and livestock<br>(classify to inventory)  | 25%  |
| 4) | Interest and dividends from stockholders,<br>officers, directors, employees, parent,<br>subsidiaries and affiliates | 100% |
| 5) | Organization expense/goodwill   | 100% |
| 6) | Investment credit   | 100% |

## Section 650.190 Other Factors Considered in Determining Financial Ratings

## a) Notes and Accounts

1) Long term notes and accounts payable to stockholders, officers, directors, employees, parent, subsidiaries and affiliates will not be considered a liability if subordinated. A subordination is not permitted if it takes place more than one year from the date of the financial statement. Long term notes which are not subordinated will be considered as current liabilities.

2) Long term notes (which are in the company's name) payable to banks or other financial institutions when secured by the personal assets of the owners, officers or directors will be considered as additional working capital if properly subordinated.

3) Notes payable due within one year from the financial statement date are considered current liabilities. Installments on notes due beyond one year are considered deferred liabilities.

4) When notes payable are secured by all assets or current assets of a firm, the amount of the loan is deducted from the value of fixed assets (against equipment first, then real estate) in determining the financial rating. No excess of encumbrance will be charged against working capital. When notes payable are unsecured, there will be no deductions from the value of fixed assets.

5) The reduction of long term notes before their due date will

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cause a reduction in the computed financial rating. In the event of long term debt reduction, the contractor shall furnish in writing the details of the transaction. This information shall be verified by a certified public accountant for those contractor's who have an audited status.

- 6) Any long term unsecured notes payable shall be accompanied by a signed statement from the lending agency and the contractor indicating that a decrease in the unsecured borrowing shall be reported to the Department immediately. In addition, the contractor shall provide a copy of the loan agreement which shall disclose the date of the loan, the termination date, the terms of payment, a statement that the loan is free of conditions and whether it is interest or noninterest bearing. Any unsecured note payable not accompanied by such a statement and loan agreement shall be considered a current liability for prequalification rating purposes.

- b) Income Taxes

The Department shall utilize the maximum corporate tax rate as stipulated by the Internal Revenue Code to reclassify deferred taxes as a current liability. This situation occurs when an applicant reports its income to the Internal Revenue Service on the cash or completed contract method, but submits such to the Department on the accrual method, thus deferring 100 percent of any income taxes due on its receivables.

- c) Dividends

Where dividends of the applicant, declared or proposed, have neither been paid nor included as a current liability in the submitted application for prequalification, the Department shall establish reserve distributions equal to the unpaid portion.

- d) Treasury Stock

If debentures have been issued, or, if long term obligations have been assumed by an applicant for repurchase of treasury stock, the Department will not consider the long term portion of these obligations as long as the applicant has provided for repayment of any current portion.

- e) Affiliated Companies

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- 1) A consolidated financial statement from the parent organization may be used to prequalify a single subsidiary company. A Certified Assumption and Guarantor Agreement must be submitted with the financial statement. The single subsidiary company is permitted to transfer its financial rating to companies included in the consolidated financial statement who desire to become prequalified.

- 2) The Department may request a consolidated or consolidating financial statement from the parent organization of a subsidiary or affiliate requesting prequalification. The Department will deny credit for assets of a subsidiary or an affiliate which are unduly burdened or otherwise heavily encumbered, and which are not available because of the financial condition of the parent organization.

- 3) A combined financial statement may be used to prequalify a single company. The affiliates of the prequalifying company shall submit a pledge letter. Corporations shall provide a corporate resolution which authorizes the pledge of assets (see Section 650. Appendix E of this Part).

- f) Letters of Credit

Bank letters or letters of credit will not be considered in the computation of the financial rating.

### Section 650.200 Methods of Improving a Financial Rating

- a) Personal assets of stockholders, officers, directors or employees may be pledged to improve the financial rating of the contractor seeking prequalification. See Section 650. Appendix C of this Part for information on assets acceptable to pledge and the letter required. Section 650. Appendix D of this Part illustrates the letter required from the certified public accountant for audited financial statements. The Department will not give credit for assets which are unduly burdened or heavily encumbered, and which are not available to the stockholder, officer, director or employee.

- b) Assets of a nonprequalified affiliated company may be pledged to improve the financial rating of the contractor seeking prequalification if the following conditions are met:

- 1) The pledgor (affiliate) company and the pledgee company have at least 51 percent common controlling ownership.

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- 2) Pledging of assets by the affiliate shall consist of the submittal of a financial statement. The financial statement of the affiliate must correspond with the date of the financial statement of the pledgee. The financial statement of the affiliate shall be the same type of financial statement (audited or unaudited) that was submitted by the company seeking prequalification.
- 3) The affiliate shall submit a pledge letter. Corporations shall provide a corporate resolution which authorizes the pledge of assets (see Section 650. Appendix E of this Part).
- 4) The Department will not give credit for assets which are unduly burdened or heavily encumbered, and which are not available to the affiliate.
- c) Loans which are renegotiated and involve the time frame or the encumbrance of assets of the company may be reconsidered. Only loans which total in excess of \$100,000 will be considered. A copy of the new loan agreement is required.
- d) Subsequent events which take place more than one year from the date of the financial statement will not be permitted to improve the financial rating of a company.

## Section 650.210 Computation of Financial Rating

The Department will use the financial data required by Sections 650.180, 650.190, and 650.200 of this Part to determine an applicant's financial rating by means of the formula set forth below. If the rating determined by the formula results in a negative value, the applicant will not be prequalified.

- |  |             |
|--|-------------|
| a) Total Current Assets                                  | \$ _____(1) |
| b) Discounted Assets                                     | \$ _____(2) |
| c) Net Current Assets<br>(line 1 minus line 2)           | \$ _____(3) |
| d) Current Liabilities                                   | \$ _____(4) |
| e) Allowable Net Current Assets<br>(line 3 minus line 4) | \$ _____(5) |
| f) Total Allowable Real Estate                           | \$ _____(6) |

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- |  |                         |
|--|-------------------------|
| g) Total Allowable Equipment   | \$ _____(7)             |
| h) Total Allowable Net Current Assets, Real Estate and Equipment<br>(line 5 plus line 6 plus line 7)   | \$ _____(8)             |
| i) Multiplication Factor<br>(if line 8 is negative to \$200,000 use 10)<br>(if line 8 is between \$200,001 and \$300,000 use 11)<br>(if line 8 is over \$300,001 use 12) | <u>10, 11 or 12</u> (9) |
| j) Maximum Financial Rating<br>(line 8 x line 9 and round to the nearest thousand)   | \$ _____(10)            |

## Section 650.220 Work Rating - General

The work rating measures the applicant's capability to perform work in specific categories. A complete list of categories currently available is contained in Section 650. Appendix A of this Part.

## Section 650.230 Determination of Work Ratings

a) The work rating is expressed as the dollar value of work of a particular category that the applicant can perform with its own organization and facilities in one construction season. The Work Rating (WR) is determined using the following factors:

- 1) The Performance Factor (PF);
  - 2) The Experience Factor (EF);
  - 3) The Equipment Factor (EqF); and
  - 4) The Capacity to Perform (CP).
- b) The General Questions form, the Experience form, the Record of Past Experience form, the Resume form, the Schedule of Contractor's Equipment form and the Affidavit of Possession form are used to calculate work ratings. Contractor performance reports (BC-1777) are also utilized (see Section 650.240 of this Part for more information concerning the Contractor's Performance Reports).



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Section 650.240 Performance Factor

a) The Performance Factor is a numerical value which is determined by the contractor's performance evaluation in a work category during the previous year. At the close of each construction season, the Department or officials of a unit of local government administering a contract approved for award by the Department will evaluate each contractor who performed work for them during the previous year either as a prime contractor or as a subcontractor. This information is submitted on the Contractor's Annual Performance Report (BC-1777). The performance evaluations are based on:

- 1) The quality of work performed for each work category defined in Section 650. Appendix A of this Part.
- 2) The overall execution of work as measured by evaluating four categories.
  - A) Organization and prosecution of the work;
  - B) Cooperation with public agency personnel responsible for contract administration and inspection;
  - C) Traffic control and site protection as provided by contract requirements; and
  - D) Compliance with EEO and labor requirements.

b) The performance evaluation scale is a rating from 2.0 to 8.0 in accordance with the following definitions:

- 8.0 Excellent
- 7.0 Good
- 6.0 Satisfactory
- 4.0 Marginal
- 2.0 Poor

c) The quality and evaluating categories under execution of work are defined and rated as follows.

- 1) Quality - The project's durability and appearance, the knowledge of supervisory personnel, and the compliance with contract requirements (i. e., plans, specifications, field inspection, etc.) are considered.

2) Quality Scale

- 8.0 The contractor exceeded project requirements in all areas considered.
- 7.0 The contractor exceeded project requirements in a majority of areas considered.
- 6.0 The contractor met project requirements in all areas considered.
- 4.0 The contractor did not meet project requirements in one area considered.
- 2.0 The contractor did not meet project requirements in two or more areas considered.

3) Organization/Prosecution - The contractor's ability to diligently prosecute work by planning and scheduling labor, materials and the work of subcontractor's on project site are considered.

4) Organization/Prosecution Scale

- 8.0 The contractor exceeded project requirements in all areas considered and completed the project well ahead of schedule.
- 7.0 The contractor exceeded project requirements in a majority of areas considered and the project was completed slightly ahead of schedule.

6.0 The contractor met project requirements in all areas considered and the scheduled completion date was met.

4.0 The contractor did not meet project requirements in one area considered and occasionally did not work when conditions permitted. The scheduled completion date was met.

2.0 The contractor did not meet project requirements in two or more areas considered and the scheduled completion date was not met.

5) Cooperation - The contractor's willingness to negotiate contract disputes, to respond to reasonable requests by the resident engineer and to respond to various Departmental correspondence are considered.

6) Cooperation

- 8.0 The contractor exceeded project requirements in all areas considered.

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- 7) The contractor exceeded project requirements in a majority of areas considered.
- 6.0 The contractor met project requirements in all areas considered.
- 4.0 The contractor did not meet project requirements in one area considered.
- 2.0 The contractor did not meet project requirements in two or more areas considered.
- 7) Traffic Control/Site Protection - The appearance of the traffic control devices, the response to repair deficient devices and the contractor's willingness to comply with the Traffic Control Plan (TCP) are considered.
- 8) Traffic Control/Site Protection
- 8.0 The contractor exceeded project requirements in all areas considered.
- 7.0 The contractor exceeded project requirements in a majority of areas considered.
- 6.0 The contractor met project requirements in all areas considered.
- 4.0 The contractor did not meet project requirements in one area considered.
- 2.0 Either the contractor did not meet project requirements in two or more areas considered or the contractor committed an act or omission which seriously compromised the safety of the public.
- 9) EEO/Labor Compliance - The contractor's compliance with the Equal Employment Opportunity program and compliance with labor laws are considered.
- 10) EEO/Labor Compliance
- 8.0 The contractor exceeded project requirements.
- 7.0 The contractor met project requirements through extraordinary effort and initiative.
- 6.0 The contractor met project requirements with minimum effort and initiative.
- 4.0 The contractor met project requirements, but had to be motivated by Department personnel.
- 2.0 The contractor did not meet project requirements.
- d) The Performance Factor is equal to the performance evaluation rating for quality of work divided by six. However, if a rating

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- of 4.0 or less occurs in a category under execution of work as determined by the District, the District Engineer will indicate those work categories affected and will explain the problems encountered. In addition, an average value from all the categories under execution of work will be determined. If the average value for execution of work is less than the performance evaluation for quality of work, this average value will be used to determine the Performance Factor. Only those work categories indicated by the District Engineer will be affected.
- e) A work rating will not be renewed or will be revoked if a performance evaluation rating of less than 4.0 in quality of work is received for two successive years.
- f) A work rating will not be renewed or will be revoked if a District determines for two successive years a performance evaluation rating of 6.0 or less in the same category under execution of work. However, the Engineer of Construction will determine the work ratings to remain in effect if another District Engineer indicates satisfactory performance within that District. An explanation for allowing the work ratings to remain in effect will be provided by the Engineer of Construction.
- g) The contractor shall be notified of the performance evaluation in writing within 14 days with a detailed explanation of any substandard items. If a performance evaluation results in a reduced work rating, the contractor may proceed with the review procedures in accordance with Section 650.150 of this Part.
- h) If an applicant did not have a contract with the Department in the previous year, the last evaluation issued within a five year period will be used. If an applicant has not had an evaluation in the last five years or is applying for an initial rating in a category and lists no public agencies or private customers as references, a Performance Factor of "1" will be used until an actual evaluation is made.
- Section 650.250 Experience Factor (EF)
- a) The Experience Factor is the cumulative dollar value of work performed in a given work category by the applicant's own forces. To be given credit for this experience, the work must have been performed either for the Department or other entity the Department considers to be a source of valid and verifiable information. The experience is the total experience of the applicant as a

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continuously operating entity. Credit will not be given for work performed as an owner or employee of another firm. Applicants will receive incremental credit for successfully completed work in a work category even though the contract is not completed.

- b) To accurately evaluate an applicant's experience, the following shall be provided for each project.

- 1) The project owner's name, address (City and State) and phone number.
- 2) The dollar value of work performed for each work category within the project.
- 3) The year the work was performed.

- c) Applicants requesting a work rating for the first time should list experience for a minimum of three years (if available) to assist the Department in the evaluation of their capabilities. As prequalification is renewed, and subsequent records of past experience are filed, the Department will compute the cumulative dollar value of work performed for each work category.

## Section 650.260 Equipment Factor (Eqf)

- a) Work categories which require the applicant to have specific equipment and plant facilities are indicated in Section 650.Appendix A of this Part. Determination of work ratings in these categories requires the calculation of an Equipment Factor which measures the physical productive capacity of the applicant's equipment and facilities. Equipment Factors are based on standards which produce an average dollar value of productivity as set forth in Section 650.Appendix A of this Part. The Department may adjust the standards as necessary to reflect increases in construction costs.

- b) In calculating Equipment Factors, the Department will consider:

- 1) Equipment owned outright. All equipment which is serviceable will be considered even though fully depreciated.
- 2) Equipment pledged in its entirety for the exclusive use of the applicant. A stockholder, officer, director or employee of the company may pledge equipment. A parent, subsidiary or affiliate may also pledge equipment. The request to pledge shall be in writing by the pledgor and shall include the following:

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- A) The pledgor and the pledgee.
- B) The make, model, year, serial number and size or capacity of the equipment.
- C) A statement that the equipment is "pledged for the exclusive use" of the applicant.
- D) A statement that the pledge is for the "remainder of the applicant's prequalification period".
- E) The signature of the pledgor.
- F) Corporations shall provide a corporate resolution which authorizes the pledge of equipment (see 650.Appendix E of this Part).

- 3) Either leased or rented equipment currently in the possession of the applicant or leased or rented equipment possessed by the applicant during the previous year, whichever is greater. Possession shall be confirmed by the submittal of a signed and notarized affidavit. No credit will be given for leased equipment not in possession to establish an equipment factor. Applicants shall submit a copy of the lease agreement which must contain the following:

- A) Time period. Either a minimum twelve month period or the prequalification period is required.
- B) Make, model, year, serial number and size or capacity of the equipment.
- C) Monetary consideration.
- D) Signature of the lessee and lessor.
- E) The statement of "exclusive use" and notarization of the signatures for equipment involving a bituminous or concrete plant.

- c) Credit for equipment (including plants) will not be given until the applicant provides proof that all required federal, State or local permits or licenses to operate the equipment have been obtained. The applicant shall make equipment available for inspection so the Department can verify possession and determine its serviceability. No credit will be given for equipment that



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is in disrepair or is inoperable. Equipment owned but leased to another contractor will not be considered available for a work category. Concrete plants used for retail sales will not be eligible to establish an equipment factor for the work category of Portland Cement Concrete Paving.

- d) Equipment such as front-end loaders, motor graders and cranes are versatile and can perform several types of work. If the contractor does not assign equipment to a specific category, the Department will assign the equipment on the basis of the contractor's work experience and requested ratings. The Department will not give credit for equipment which is not available for a work category. For example, an applicant may have front-end loaders which he uses in a quarry; this equipment would not be considered available for the work category of Earthwork.

## Section 650.270 Capacity to Perform (CP)

- a) The Capacity to Perform represents the annual dollar value of work completed by an applicant which is related to the category of work for which a rating is requested. The work must have been performed for the Department or other entity the Department considers to be a source of valid and verifiable information. The performance of the applicant must be that as a continuous operating entity. Credit will not be given for work performed as an owner or employee of another firm.

- b) The Capacity to Perform is the average of the three highest volume years in the last ten years. If a new applicant does not have three years' experience or if there is a sustained increase in the volume of work performed, the Department will use a value which does not exceed the highest volume year as the capacity to perform.

## Section 650.280 Calculation of Work Ratings

- a) Applicants assigned work ratings in the categories of Earthwork, Portland Cement Concrete Paving, Bituminous Plant Mix, Bituminous Aggregate Mixtures, Aggregate Bases & Surfaces (type A or B) and Cover & Seal Coats are required to possess specific equipment or plant facilities which are assigned Equipment Factors. Work ratings in these categories are calculated by the primary formula.

$$WR = PF (EF/2 + EqF/2) \quad (\text{Primary Formula})$$

- b) Equipment Factors based on plant production may be quite large, but new or inexperienced contractors may not be able to realize

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the full potential of their capacity. For this reason, the primary formula considers experience as well as equipment and plant capacity. In the simplest case, a new applicant with no experience and a presumed performance factor of 1.0 will receive a work rating equal to one half the calculated Equipment Factor. As the applicant gains experience, the work rating will increase. When the Experience Factor equals or exceeds the Equipment Factor, the work rating is calculated by the advanced formula below.

$$WR = PF \times EqF \quad (\text{Advanced Formula})$$

- c) All remaining work categories are calculated by the secondary formula.

$$WR = PF \times CP \times 1.2 \quad (\text{Secondary Formula})$$

- d) The secondary formula does not utilize an equipment factor because of the immeasurable productive capacity of the equipment or plant facility; however, equipment must be available to the applicant. See Section 650-Appendix A of this Part for a listing of equipment or plant facilities. The secondary formula includes a factor of 1.2 to provide a margin for growth.

- e) An applicant's capacity to perform may exceed the calculated equipment factor. This can occur by good management, efficiency and additional hours of work. When this occurs, the primary and advanced formulas will be replaced by the secondary formula.

- f) The work rating in any given category may not exceed the financial rating of the applicant.

- g) If the primary, advanced or secondary formula results in a value in excess of \$25 million, the work category will be assigned an unlimited rating provided the applicant's financial rating is unlimited.

- h) A work rating may be designated as "Illinois Work Only." This work rating indicates the dollar value of work which the applicant's own forces can perform within the State of Illinois in one construction season. This rating will be established by the Department if the applicant does work in more than one state or outside the continental United States and it would be impractical to verify all outstanding work.

- i) Prior to any consideration for establishing a work rating value, the applicant shall provide a list of all technical, supervisory

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and key personnel who would manage a project awarded by the Department. This list should include the individual's job title and number of years of construction experience. The Department may also require the submittal of resumes of the above individuals. Applicants prequalifying with the Department for the first time shall be required to submit resumes. Insufficient personnel may be justification for a reduction in the rating of a work category as determined by the primary, advanced or secondary formula. Hiring of additional personnel may be justification for an increase in the rating of a work category. Applicants without experienced personnel for a requested work category may be denied the rating.

## j) Methods to Improve a Work Rating

- 1) Hiring of additional personnel.
- 2) Purchase, lease or rental of additional equipment.
- 3) Completion of additional work.

## k) A contractor may request additional rating in a work category at any time during the prequalification period by submitting a revised application or supplemental information.

## SUBPART B: ISSUANCE OF PLANS AND PROPOSALS

## Section 650.290 Advertising for Bids

- a) An advertisement for bids is published in the official newspaper of the State of Illinois.
- b) The Service Bulletin is the official publication and invitation issued by the Department for bids on construction projects. It contains a brief description of the work involved in each project and the quantities of the major pay items. It also states the location and time when the bids will be opened.
- c) The Service Bulletin is sent to all contractors who are prequalified with the Department. Other persons who may be interested in serving as subcontractors or material suppliers may subscribe to the Service Bulletin at the established subscription price from:

Illinois Department of Transportation  
Bureau of Administration and Facility Services

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2300 South Dirksen Parkway  
Springfield, Illinois 62764  
(217) 782-7806

## Section 650.300 Request for Proposal Forms and Plans; Authorization to Bid

A Request for Proposal Forms and Plans and Request for Authorization to Bid (Form BD-124) is attached to the Service Bulletin. The Form BD-124 shall be used by contractors to request proposals and plans and to request formal authorization to bid on contracts advertised in the Service Bulletin. Anyone may obtain proposal forms and plans regardless of prequalification status. An Authorization to Bid must be granted in accordance with this Part before a prequalified contractor may submit a bid.

## Section 650.310 Affidavit of Availability

- a) An Affidavit of Availability (Form BC-57) is attached to the Service Bulletin and must be submitted with a request for Authorizations to Bid. It is a sworn statement concerning the contractor's present and pending contract commitments. The contractor shall not omit or misrepresent its work outstanding. When the contractor has uncompleted or pending work as a party of a joint venture, the contractor's responsible portion of the work shall be shown. The affidavit shall be signed by an officer or director of a corporate contractor; and otherwise, an owner shall sign. The affidavit is not required when a contractor has unlimited work ratings and an unlimited financial rating or when Authorization to Bid is not being requested. The affidavit shall include:
  - 1) The amount of all uncompleted work, by type, either as a principal or subcontractor together with the name of the agency under whose jurisdiction the work is being performed. All uncompleted work shall be based upon the engineer's or owner's most recent estimate.
  - 2) The commitment of equipment and personnel on a payroll or rental basis even though no formal contract exists.
  - 3) All work on which the contractor is the low bidder and which has not yet been awarded.
  - 4) A listing of all subcontractors and the value of work sublet.

- b) Prospective bidders shall notify the Department within two working days of any low bids pending award or contracts awarded which



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might occur between the submission of the affidavit and the opening of bids.

Section 650.320 Analyzing Requests for Authorization to Bid

a) In analyzing a contractor's request for Authorization to Bid, it is necessary to determine the contractor's available bidding capacity.

1) The total value of all uncompleted work awarded to the contractor, as shown on the Affidavit of Availability, is deducted from the financial rating shown on the Certificate of Eligibility. The result is the Available Financial Rating.

2) The value of each type of work uncompleted and included in pending low bids the contractor will perform with its own forces as a prime or subcontractor, as shown on the Affidavit of Availability, is deducted from the corresponding category of work rating shown on the Certificate of Eligibility. The result is the Available Work Rating in each category. If a contractor has a work rating designated for "Illinois Work Only," then only Illinois work is deducted from the corresponding category of work rating.

3) When the proposed work requires more than one construction season (18 months or 168 working days) to complete, the work ratings shown on the Certificate of Eligibility are multiplied by the number of construction seasons required for completion. The Available Work Rating is then determined as stated in subsection (a)(2) of this Section. Similar consideration is given to work reported on the Affidavit of Availability. Each work category of a project is divided by the number of construction seasons to complete the project. The Available Work Rating is then determined as stated in subsection (a)(2) of this Section.

4) Contractors who have ratings in major work categories are given credit for work in applicable minor work categories. For example, a contractor with a rating in Portland Cement Concrete Paving or Structures is given credit for work in the minor work category of Miscellaneous Concrete Construction. The work category definitions in Section 650-Appendix A of this Part will indicate if a minor work category is applicable. Credit given for a minor work category is deducted from the contractor's available rating in the corresponding major work category.

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5) Bituminous Plant Mix is rated at \$32/ton as compared to \$26/ton for Bituminous Aggregate Mixtures. See Section 650-Appendix A of this Part. However, the plant's hourly capacity remains the same. Therefore, the dollar value of outstanding Bituminous Aggregate Mixtures shown on the Affidavit of Availability will be increased by twenty percent in determining available work rating for Bituminous Plant Mix if a contractor's plant produces both Class I and BAM.

b) In order to be issued an Authorization to Bid, a contractor's Available Work Ratings for all applicable categories must equal or exceed 50 percent of the estimated value of the contract, less designated specialty items. For Division of Aeronautics work, the Available Work Ratings must equal or exceed 51 percent of the estimated value. A contractor's Available Financial Rating must equal or exceed 95 percent of the total estimated value of each contract. However, the low bidder will not be awarded the contract unless the Available Financial Rating equals or exceeds the actual price bid.

c) The Department will occasionally advertise for bids a contract which consists of an item or items which are of the type commonly constructed by the Capital Development Board (such as general building construction, roofing, plumbing, heating, ventilation and air conditioning) rather than by the Department of Transportation. In such instances, the advertisement will indicate waiver of prequalification under the rules of the Department according to Section 650.70 and will specify prequalification by the Capital Development Board pursuant to 44 Ill. Adm. Code 950.

Section 650.330 Issuance of Authorization to Bid

a) There is no limit to the number of Authorizations to Bid issued a contractor as long as the available bidding capacity satisfies the requirements of each individual contract. If the contractor is the low bidder on two or more contracts and the sum of the bids exceeds the available bidding capacity, the Department will select the contract or contracts for award.

b) Authorization to Bid will not be issued on requests received after 4:30 p.m. prevailing time on the cut-off date indicated in the Service Bulletin. In addition, any request to be removed from the bidder's list or to dissolve a joint venture must be received prior to the time indicated in the previous statement.



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## Section 650.340 Joint Ventures

- a) Prequalified contractors may combine their available bidding capacity and request an Authorization to Bid for a single contract to bid as a joint venture after Department approval.
- b) Each request for approval of a joint venture shall be indicated by the filing of a Joint Venture Minimum Declaration of Work for each of the contracts for which joint venture approval is sought. The form is available from the Prequalification Section. It identifies the managing partner and indicates the kind and the percentage of work to be performed by each joint venture partner with its own workforce and resources other than work reserved to meet any disadvantaged business goal advertised in the contract. The form indicates the joint venture agreement shall be available to the Department for inspection. In addition, each joint venture partner firm shall submit an Affidavit of Availability. The Joint Venture Minimum Declaration of Work and all Affidavits of Availability must be received no later than 4:30 p.m. prevailing time at least seven days prior to the scheduled date of the letting for which bidding proposals are sought.

- c) The proposed joint venture shall not be approved for the issuance of bidding proposals if the establishment of a joint venture would unduly restrict competition. A determination that a proposed joint venture would unduly restrict competition is limited to any of the following reasons:

- 1) That the proposed joint venture would consist of more than three prequalified contractors.
- 2) That the Joint Venture Minimum Declaration of Work indicates that any one of the proposed joint venture partners will perform less than 10 percent of the nondisadvantaged business work with its own workforce and resources.
- 3) That for letting items estimated by the Department to be bid at less than \$1,000,000, more than one of the proposed joint venture partners has the individual prequalification ratings and bid capacity to bid the item without the approval of the venture. This determination shall not apply to joint ventures between firms having 51 percent or more common controlling ownership or on items where the estimated quantity of asphalt exceeds 10,000 tons or concrete exceeds 5,000 cubic yards.

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- d) Contractors whose financial ratings are based upon unaudited financial statements will not be permitted to joint venture with each other to bid contracts which are estimated to exceed \$350,000. However, such contractors may be permitted to joint venture with contractors who have a financial rating based upon an audited statement to bid contracts estimated to exceed \$350,000.
- e) If a joint venture work rating is limited by its maximum financial rating, the full value of the computed work rating will be used in analyzing the joint venture request for a bidding proposal. However, the combined maximum work rating in any category shall not exceed the combined maximum financial rating of the joint venture.
- f) If an approved joint venture is awarded a contract, the kind and percentage of work indicated on the Joint Venture Minimum Declaration of Work may be amended as many times as necessary by the contractor provided that each partner of the approved joint venture performs at least 15 percent of the work with its own workforce and resources.

## Section 650.350 Denial of Authorization to Bid

The Department will not issue Authorization to Bid for any of the following reasons:

- a) The potential bidder is not prequalified under the provisions of this Part.
- b) The potential bidder will not be prequalified on the day of the scheduled letting which is the subject of the Request for Authorization to Bid.
- c) The potential bidder has uncompleted work on previously awarded contracts which, in the judgment of the Department, might hinder or prevent the prompt completion of additional work if awarded.
- d) The potential bidder has provided false information provided on a bidder's Affidavit of Availability.
- e) The potential bidder has failed to submit final documentation on any open contract or to pay, or satisfactorily settle, all bills due for labor and material on previously awarded contracts in force at the time of issuance of proposal forms.
- f) The potential bidder has failed to comply with this Part or the bidding procedures of the Department.

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- g) The potential bidder has defaulted under previous Department awarded contracts or contracts approved for award by the Department; has failed to execute an awarded contract; or has caused the readvertisement of a project through mistakes or neglect in the bidding procedures.
- h) When any agent, servant, employee, associated organization, affiliate or related entity of the prospective bidder has participated in the preparation of plans, specifications or special provisions for the proposed work.
- i) The potential bidder is subject to revocation of prequalification ratings in accordance with Section 650.110 of this Part.

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## Section 650.APPENDIX A AVAILABLE WORK CATEGORIES

- |    |  |
|----|--|
| 1  | Earthwork                                |
| 2  | Portland Cement Concrete Paving          |
| 3  | Bituminous Plant Mix                     |
| 4  | Bituminous Aggregate Mixtures            |
| 5  | Miscellaneous Bituminous Paving          |
| 6  | Cleaning and Sealing Cracks & Joints     |
| 7  | Soil Stabilization and Modification      |
| 8  | Aggregate Bases & Surfaces (A,B)         |
| 9  | Structures (H,RR,W)                      |
| 10 | Structures Repair                        |
| 11 | Anchors and Tiebacks                     |
| 12 | Drainage                                 |
| 13 | Drainage Cleaning                        |
| 14 | Electrical                               |
| 15 | Cover and Seal Coats (A,B)               |
| 16 | Slurry Applications                      |
| 17 | Miscellaneous Concrete Construction      |
| 18 | Landscaping                              |
| 19 | Seeding and Sodding                      |
| 20 | Vegetation Spraying                      |
| 21 | Tree Trimming and Selective Tree Removal |
| 22 | Fencing                                  |
| 23 | Guardrail                                |
| 24 | Grouting                                 |
| 25 | Painting                                 |
| 26 | Signing                                  |
| 27 | Paint Pavement Marking                   |
| 28 | Thermoplastic Pavement Marking           |
| 29 | Epoxy Pavement Marking                   |
| 30 | Installation of Raised Pavement Markers  |
| 31 | Pavement Texturing and Surface Removal   |
| 32 | Cold Milling, Planing and Rotomilling    |
| 33 | Erection                                 |
| 34 | Demolition                               |
| 35 | Fabrication                              |
| 36 | Tunnel Excavation                        |
| 37 | Expressway Cleaning                      |
| 38 | Railroad (Track) Construction            |
| 39 | Marine Construction                      |
| 40 | Hydraulic Dredging                       |
| 41 | Hot (in-place) Recycling                 |
| 42 | Cold (in-place) Recycling                |

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EARTHWORK

Consists of clearing, grubbing, tree removal (except selective tree removal), hedge removal, roadway excavation, channel excavation, borrow excavation, special excavation, topsoil excavation and placement, ditch excavation, common excavation, solid rock excavation, mine refuse excavation, pavement removal, hauling, embankment (earth, stone, gravel or other materials), backfilling (all types of materials), grading, compacting and trenching. This category is also applicable to projects involving Demolition (see definition), riprap installation, construction of aggregate ditch, construction of gabions, slope mattress and revetment mats (riprap or interlocking concrete blocks). In addition, this category is applicable to Seeding (see definition at Section 650.20) for Land Reclamation projects.

EQUIPMENT: Scrapers, gradalls, graders, cranes, shovels, excavators, backhoe loaders, front-end loaders, skid-steer loaders, bulldozers or fine grading equipment are required to establish a rating.

CALCULATION OF WORK RATING: Primary or advanced formula.

<u>Equipment</u>	<u>Equipment Factor (EqF)</u>
Self-propelled scrapers	\$16,000 per cubic yard of heaped capacity
Pull type scrapers	\$9,000 per cubic yard of heaped capacity
Gradalls	\$115,000 each
Graders	\$100,000 each
Cranes, shovels, excavators and backhoe loaders	\$375,000 for 3/4 cubic yard bucket size \$405,000 for 1 cubic yard bucket size \$460,000 for 1-1/4 cubic yard bucket size \$550,000 for 1-1/2 cubic yard bucket size \$635,000 for 1-3/4 cubic yard bucket size \$750,000 for 2 cubic yard bucket size \$835,000 for 2-1/2 cubic yard bucket size \$1,010,000 for 3 cubic yard bucket size \$1,210,000 for 3-1/2 cubic yard bucket size \$1,440,000 for 4 cubic yard bucket size \$1,610,000 for 4-1/2 cubic yard bucket size \$115,000 for less than or equal to 2 cubic yard bucket size
Front-end loaders	\$230,000 for 2.1-3 cubic yard bucket size \$375,000 for 3.1-4 cubic yard bucket size \$460,000 for 4.1-5 cubic yard bucket size \$605,000 for greater than 5 cubic yard bucket size
Skid-steer loaders	\$50,000 each
Bulldozers	\$200,000 each
Fine grading equipment	\$200,000 each

PORTLAND CEMENT CONCRETE (PCC) PAVING

Consists of constructing pcc pavement, continuously reinforced pcc pavement, pcc base course and pcc base course widening, cement aggregate mixture sub-base, pozzolanic stabilized mixture sub-base and pozzolanic stabilized base course. This category is also applicable to Miscellaneous Concrete Construction (see definition at Section 650.20).

EQUIPMENT: A central mix plant, a batch plant with transit mixer trucks, formless paver and finishing machine. A concrete plant with either a formless paver or a finishing machine is the minimum equipment requirement.

CALCULATION OF WORK RATING: Primary or advanced formula. Concrete plants used for retail sales are not eligible.

<u>Equipment</u>	<u>Equipment factor (EqF)</u>
Central Mix Plant and Batch Plant*	(C.Y./Batch) X (20 Batches/Hr.) X (8 Hrs./Day) X (80 Days /Yr.) X (\$80/C.Y.) X (1.0)
Central Mix Dual Plant and Dual Batch Plant*	(C.Y./Batch) X (20 Batches/Hr.) X (8 Hrs./Day) X (80 Days/Yr.) X (\$80/C.Y.) X (1.7)

\*To receive the maximum equipment factor (EqF) for a batch plant, the contractor shall possess a minimum of one transit mixer truck for every cubic yard of capacity of the plant.

BITUMINOUS PLANT MIX

The placement of bituminous concrete binder and surface course (Class I), bituminous concrete base course widening, bituminous base course, bituminous aggregate mixture stabilized sub-base, bituminous shoulder, bituminous curb, bituminous gutter, bituminous curb and gutter, bituminous sidewalk, bituminous driveway, bituminous median, bituminous patching, open graded asphalt friction course and incidental bituminous surfacing. Also includes placement and hot recycling of reclaimed aggregates and asphaltic cements, and placement and production of cold mix stabilized base. This category is also applicable to Miscellaneous Bituminous Paving (see definition at Section 650.20).

EQUIPMENT REQUIRED: A bituminous plant approved by the Bureau of Materials and Physical Research for Class I production, an approved bituminous spreading and finishing machine and compaction equipment.



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

CALCULATION OF WORK RATING: Primary or advanced formula.Plant Production RatingEquipment Factor (EqF)

Tons Per Hour (TPH)  $\text{TPH} \times (8 \text{ Hrs./Day}) \times (80 \text{ Days/Yr.}) \times (\$32/\text{Ton}) \times (1.00)$   
for approved plant or tentative approval type A

(Established by Bureau of Materials and Physical Research)  $\text{TPH} \times (8 \text{ Hrs./Day}) \times (80 \text{ Days/Yr.}) \times (\$32/\text{Ton}) \times (.50)$   
for tentative approval type B

$\text{TPH} \times (8 \text{ Hrs./Day}) \times (80 \text{ Days/Yr.}) \times (\$32/\text{Ton}) \times (.25)$   
for tentative approval type C

Note: Tentative approval is an evaluation of a plant by the Bureau of Materials and Physical Research prior to final approval.

BITUMINOUS AGGREGATE MIXTURES

Consists of the placement of bituminous aggregate mixture, stabilized sub-base and bituminous shoulder. Also includes placement and hot recycling of reclaimed aggregates and asphaltic cements, and placement and production of cold mix stabilized base. This category is also applicable to Miscellaneous Bituminous Paving (see definition at Section 650.20).

EQUIPMENT REQUIRED: A bituminous plant approved by the Bureau of Materials and Physical Research, an approved bituminous spreading and finishing machine and compaction equipment.

CALCULATION OF WORK RATING: Primary or advanced formula.Plant Production RatingEquipment Factor (EqF)

Tons Per Hour (TPH)  $\text{TPH} \times (8 \text{ Hrs./Day}) \times (80 \text{ Days/Yr.}) \times (\$26/\text{Ton}) \times (1.00)$   
for approved plant or tentative approval type A

(Established by Bureau of Materials and Physical Research)  $\text{TPH} \times (8 \text{ Hrs./Day}) \times (80 \text{ Days/Yr.}) \times (\$26/\text{Ton}) \times (.50)$   
for tentative approval type B

$\text{TPH} \times (8 \text{ Hrs./Day}) \times (80 \text{ Days/Yr.}) \times (\$26/\text{Ton}) \times (.25)$   
for tentative approval type C

Note: Tentative approval is an evaluation of a plant by the Bureau of Materials and Physical Research prior to final approval.

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

MISCELLANEOUS BITUMINOUS PAVING

Consists of placing bituminous base, surface, widening or shoulders with a bituminous spreading and finishing machine. This category is restricted to either 1,200 tons in any one contract (Class I or BAW) or as specified by the local agency. Bituminous curb and gutter, sidewalk, driveway, median and patching are not to be included in the tonnage determination.

EQUIPMENT REQUIRED: An approved bituminous spreading and finishing machine and compaction equipment.

CALCULATION OF WORK RATING: Secondary formula.CLEANING AND SEALING CRACKS & JOINTS

Consists of routing and sealing cracks for asphaltic and concrete pavements.

EQUIPMENT REQUIRED: Router and melter.

CALCULATION OF WORK RATING: Secondary formula.SOIL STABILIZATION AND MODIFICATION

Consists of constructing soil-cement base course and lime modified soils.

EQUIPMENT REQUIRED: Grader, rotary speedmixer, mechanical spreader, water tanker and compaction equipment.

CALCULATION OF WORK RATING: Secondary formula.AGGREGATE BASES & SURFACES (TYPE A)

Consists of constructing granular sub-base, aggregate base course, aggregate surface course, aggregate shoulders and aggregate-turf pavement. Also includes construction of cement aggregate mixture sub-base, pozzolanic stabilized mixture sub-base, pozzolanic stabilized base course, lime modified soils (disc harrow method), calcium chloride applications, and sub-ballast.

AGGREGATE BASES & SURFACES (TYPE B)

Consists of hauling and spreading aggregate.

EQUIPMENT REQUIRED: Grader or mechanical spreader, and compaction equipment if applicable.

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

CALCULATION OF WORK RATING: Primary or advanced formula.

<u>Equipment</u>	<u>Equipment Factor (EqF)</u>
Grader and compaction equipment (Type A)	\$375,000 each
Mechanical spreader and compaction equipment (Type A)	\$375,000 each
Grader (Type B)	\$375,000 each
Mechanical Spreader (Type B)	\$375,000 each

STRUCTURES (HIGHWAY)

Consists of excavation for structures (includes cofferdams, temporary cribs, etc.), constructing concrete structures (bridges, box culverts, etc.), membrane waterproofing, constructing steel structures (bridges, corrugated structural plate drainage structures, etc.), constructing metal railings, constructing timber structures (bridges, etc.), Erection (see definition of this and following work categories at Section 650.20), installation of reinforcement bars, piling (all types), and construction of temporary bridges. This category is also applicable to Structures Repair, Demolition, Miscellaneous Concrete Construction, Fencing and Signing.

STRUCTURES (RAILROAD)

Consists of items listed above. This category is specific to structures carrying railroad transportation.

STRUCTURES (WATERWAY)

Consists of the construction of major structures and appurtenances for water storage and distribution, flood control and recreation. This includes dams, spillways, spillway crest gates, sluiceway, sluiceway gates, canals, channel appurtenances (culverts, flumes, inverted siphons, etc.), pump stations (including mechanical equipment), aqueducts, irrigation structures (checks, dams, gates, etc.), locks and dams, dikes, groins and jetties. This category also includes excavation for structures (includes cofferdams, temporary cribs, etc.), piling (all types), de-watering and Demolition (see definition at Section 650.20).

**EQUIPMENT:** Bulldozers, front-end loaders, shovels, cranes, backhoe loaders, excavators, pile hammers and bridge deck finishing machines. A crane is the minimum equipment requirement. However, a crane is not required for those contractors requesting a structures rating for \$150,000 or less.

CALCULATION OF WORK RATING: Secondary formula.

STRUCTURES REPAIR

Consists of bridge deck repair or bridge deck removal and replacement. This

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

includes the use of latex modified concrete, polymer concrete, epoxy and other materials for patching, deck overlays, sealing, etc. Also includes membrane waterproofing, constructing metal railings, installation of reinforcement bars, superstructure repairs such as replacement of joints, replacement of bearings, beam straightening (heat or mechanical), repair and retrofit of fracture and fatigue distressed steel girders, member strengthening, etc. Substructure repairs are also included and consist of the use of epoxy, shotcrete and other materials for minor repairs of spalled or deteriorated concrete. This category is also applicable to Miscellaneous Concrete Construction, Fencing and Signing (see definitions at Section 650.20).

**EQUIPMENT:** Front-end loaders, cranes, backhoe loaders, excavators and bridge deck finishing machines. A crane is the minimum equipment requirement. However, a crane is not required for those contractors requesting a structures repair rating for \$150,000 or less.

CALCULATION OF WORK RATING: Secondary formula.

ANCHORS AND TIEBACKS

Construction of all types of anchors and tiebacks which provide resistance to lateral and uplift forces in bridge abutments, retaining walls, bulkheads, dams, deep excavations and various support systems (underpinning, etc.).

**EQUIPMENT REQUIRED:** Auger or drilling equipment. Grouting equipment to include air compressor, mixing equipment, agitator-type reservoir tank and grout pump.

CALCULATION OF WORK RATING: Secondary formula.

DRAINAGE

Consists of the installation and removal of precast concrete box culverts, installation and removal of pipe culverts and storm sewers, relining of pipe culverts and storm sewers, installation of pipe drains and pipe underdrains, exploration trenches for locating farm underdrains, minor boring and jacking of pipe-in-place, installation of cast iron soil pipe, installation of water mains and water service lines, adjusting sanitary sewers and water service lines, construction of catch basins, manholes, inlets, inspection holes and valve vaults, minor cleaning of catch basins, adjustment and reconstruction of catch basins, manholes, inlets, inspection holes and valve vaults, installation and adjustment of frames and grates, filling existing manholes, catch basins, inlets, wells and drainage structures, moving fire hydrants, moving domestic meter vaults and water service boxes, riprap installation, construction of aggregate ditch, installation of excelsior blanket, fiber mat



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

and fiberglass roving, construction of gabions, slope mattress and revetment mats (riprap or interlocking concrete blocks), construction of trench and backfill for communication cables, ducts and conduits, construction of inverted siphons, construction of flumes and construction of pump stations (including mechanical equipment). This category is also applicable to de-watering projects, well drilling, slurry trench cut-off walls (soil-bentonite or cement-bentonite), and Drainage Cleaning.

EQUIPMENT REQUIRED: Trenching machine or backhoe loader or excavator.

CALCULATION OF WORK RATING: Secondary formula.

DRAINAGE CLEANING

Consists of cleaning of pipe culverts, storm sewers and catch basins.

EQUIPMENT REQUIRED: Vacuum or jetting equipment.

CALCULATION OF WORK RATING: Secondary formula.

ELECTRICAL

Consists of the installation of electric cable, duct and conduits, construction of trench and backfill for cables, ducts and conduits, traffic surveillance and control installations, traffic signal installations, installation of light pole, installation of light tower, installation of vapor luminaire, installation of sign lighting, installation of temporary lighting systems, installation of navigational lighting systems, installation of photocell relay service, installation of airport lighting systems, installation of airport beacon towers and airport rotating beacons, and other appropriate illumination systems. This category is also applicable to electronic weigh scale installations, installation and maintenance of motorist call box systems and installation of electrical controls/mechanical equipment for pump stations.

EQUIPMENT REQUIRED: Trenching machine or backhoe loader or excavator or aerial equipment.

CALCULATION OF WORK RATING: Secondary formula.

COVER AND SEAL COATS (TYPE A)

Consists of the application of bituminous materials for priming, road oiling, cover coating and seal coating.

COVER AND SEAL COATS (TYPE B)

Consists of sealing parking lots and driveways.

EQUIPMENT REQUIRED: Distributor (Type A) or aggregate spreader (Type B).

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## NOTICE OF ADOPTED RULES

CALCULATION OF WORK RATING: Primary or advanced formula.

Equipment	Equipment Factor (EgF)
Distributor (Type A)	\$400,000 each
Tanker Truck*(Type A)	\$50,000 each
Spreader (Type B)	\$400,000 each

\*A maximum of two (2) tanker trucks per distributor will be allowed.

SLURRY APPLICATIONS

Consists of slurry sealing and micro-surfacing.

EQUIPMENT REQUIRED: Slurry or micro-surfacing equipment.

CALCULATION OF WORK RATING: Secondary formula.

MISCELLANEOUS CONCRETE CONSTRUCTION

Consists of masonry work or the construction of concrete barrier, curb, gutter, combination curb and gutter, sidewalk, driveway pavement, median, paved ditch, flumes, slope wall, retaining wall, railroad crossing, pavement, base course, base course widening and all types of pavement patching. This category also includes construction of revetment mats (cast-in-place concrete slabs), construction of foundations (light pole, light tower, etc.) and various undersealing projects which allow the voids to be filled by gravity flow. Removal of concrete which consists of any of the aforementioned items or similar items is applicable to this work rating. This category is also applicable to construction of box culverts and other similar miscellaneous drainage structures. The total of pavement, base course and base course widening cannot exceed 15,000 square yards in any one contract.

EQUIPMENT: Concrete saws, generators, vibrators, forms, tampers, screeds and concrete placement equipment.

CALCULATION OF WORK RATING: Secondary formula.

LANDSCAPING

Consists of planting trees, shrubs, vines, seedlings and other materials. This category also includes applying fertilizing nutrients, mulching, watering, and Seeding and Sodding (see definition at Section 650.20).

EQUIPMENT: Auger equipment or hoe, tillers, disks, slope harrows, hydraulic seeders, cultipackers, spinning disk seeders, tractor drawn or mounted seeders, rangeland type grass drill, mulch blowers and water trucks. Auger equipment or hoe with disc and seeder is the minimum equipment requirement.



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

CALCULATION OF WORK RATING: Secondary formula.

SEEDING AND SODDING

Consists of seeding, sodding, applying fertilizer nutrients, mulching, watering, installation of excelsior blanket, fiber mat and fiberglass roving.

EQUIPMENT: Tillers, disks, slope harrows, hydraulic seeders, cultipackers, spinning disk seeders, tractor drawn or mounted seeders, range and type grass drill, mulch blowers, and water tankers. A disc and seeder is the minimum equipment requirement.

CALCULATION OF WORK RATING: Secondary formula.

VEGETATION SPRAYING

Consists of the application of chemicals to remove or control vegetation.

EQUIPMENT REQUIRED: Tanker truck with spraying equipment.

CALCULATION OF WORK RATING: Secondary formula. The contractor must have a commercial applicator license with the Illinois Department of Agriculture.

TREE TRIMMING AND SELECTIVE TREE REMOVAL

Consists of pruning trees, and selective removal of trees and tree stumps.

EQUIPMENT REQUIRED: Aerial equipment, brush chipper and stump grinder.

CALCULATION OF WORK RATING: Secondary formula.

FENCING

Consists of constructing chain link fence, wire fence and wood fence. This category is also applicable to the installation of object markers, delineators and mile post markers.

EQUIPMENT: Post hole auger equipment.

CALCULATION OF WORK RATING: Secondary formula.

GUARDRAIL

Consists of constructing steel plate beam guardrail, wood guardrail, cable road guard, posts (including guard posts), pipe handrail and metal railings. Removal of any of the aforementioned items or similar items is applicable to this work category.

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

EQUIPMENT REQUIRED: Post hammer or post hole auger.

CALCULATION OF WORK RATING: Secondary formula.

GROUTING

Consists of gunite construction, lime injection systems, clay grouting, chemical grouting, compaction grouting, cement grouting, jet grouting, asphalt grouting and bituminous or cement fly ash undersealing of concrete pavements. Applicable to soil stabilization and rehabilitation of dams, bridges, sewers, tanks, reservoirs, tunnels, culverts, walls, masonry structures, etc. This category is also applicable to mud jacking, slab jacking and various under-sealing projects.

EQUIPMENT REQUIRED: Air compressor, mixing equipment, agitator-type reservoir tank and grout pump.

CALCULATION OF WORK RATING: Secondary formula.

PAINTING

Consists of the cleaning, containment and painting of metal surfaces. This includes structural steel, sign structures, sign supports, traffic signal hardware, lighting hardware, etc.

EQUIPMENT REQUIRED: Air compressor, sandblast equipment and paint spraying equipment.

CALCULATION OF WORK RATING: Secondary formula.

SIGNING

Consists of installing, relocating, renovating, refurbishing and cleaning sign panels. This category also includes the installation and relocation of sign supports and sign structures, installation of object markers, installation of delineators and installation of mile post markers. Removal of any of the aforementioned items is also applicable to this work category.

EQUIPMENT REQUIRED: Auger and aerial equipment. A crane will also meet minimum equipment requirements.

CALCULATION OF WORK RATING: Secondary formula.

PAINT PAVEMENT MARKING

Consists of the installation of paint pavement marking lines, letters and symbols.

## DEPARTMENT OF TRANSPORTATION

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EQUIPMENT REQUIRED: Truck mounted or hand operated painting equipment.

CALCULATION OF WORK RATING: Secondary formula.

THERMOPLASTIC PAVEMENT MARKING

Consists of the installation of thermoplastic pavement marking lines, letters and symbols.

EQUIPMENT REQUIRED: Truck mounted or hand operated equipment which is approved by the Bureau of Operations within the Division of Highways.

CALCULATION OF WORK RATING: Secondary formula.

EPOXY PAVEMENT MARKING

Consists of the installation of epoxy pavement marking lines, letters and symbols.

EQUIPMENT REQUIRED: Equipment which is approved by the Bureau of Operations within the Division of Highways.

CALCULATION OF WORK RATING: Secondary formula.

INSTALLATION OF RAISED PAVEMENT MARKERS

Consists of the installation of raised reflective pavement markers and their removal.

EQUIPMENT REQUIRED: Plunge router or saw.

CALCULATION OF WORK RATING: Secondary formula.

PAVEMENT TEXTURING AND SURFACE REMOVAL

Consists of grooving or grinding PCC pavement or continuously reinforced PCC pavement.

EQUIPMENT REQUIRED: Grooving or grinding equipment.

CALCULATION OF WORK RATING: Secondary formula.

COLD MILLING, PLANING AND ROTOMILLING

Consists of bituminous surface removal or texturing bituminous pavements. Also applicable to pulverizing and mixing existing bituminous material.

EQUIPMENT REQUIRED: Milling, planing or grinding machine.

## DEPARTMENT OF TRANSPORTATION

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CALCULATION OF WORK RATING: Secondary formula.

ERECTION

Consists of erecting structural steel or sign trusses.

EQUIPMENT REQUIRED: Crane.

CALCULATION OF WORK RATING: Secondary formula.

DEMOLITION

Consists of the removal of timber, steel and concrete structures and buildings.

EQUIPMENT REQUIRED: Crane or excavator or front-end loader, backhoe loader or bulldozer.

CALCULATION OF WORK RATING: Secondary formula.

FABRICATION

Consists of fabricating, delivering and storing structural steel.

EQUIPMENT REQUIRED: Fabrication plant.

CALCULATION OF WORK RATING: Secondary formula. The contractor must be listed on the AISC Register of Certified Structural Steel Fabricators and have a Certification Category of I, II or III to fabricate main load carrying components.

TUNNEL EXCAVATION

Consists of earth and rock excavation for tunnels, and construction of liner plate shafts, steel sheeted shafts and wood sheeted shafts. This category also includes rock bolting and major boring and jacking of pipe-in-place.

EQUIPMENT REQUIRED: Tunnel boring machine.

CALCULATION OF WORK RATING: Secondary formula.

RAILROAD (TRACK) CONSTRUCTION

Consists of sub-ballast construction, ballast construction, installation of cross-ties and installation of steel rails.

EQUIPMENT REQUIRED: Ballast regulator, tamper and lifting equipment.

CALCULATION OF WORK RATING: Secondary formula.

## DEPARTMENT OF TRANSPORTATION

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EXPRESSWAY CLEANING

Consists of sweeping expressways and arterial routes.

EQUIPMENT REQUIRED: Motorized street sweeping equipment.

CALCULATION OF WORK RATING: Secondary formula.

MARINE CONSTRUCTION

Consists of the construction of harbors and docking facilities on lakes or rivers. This includes breakwater structures, groins, jetties, seawalls, major revetments (riprap, interlocking concrete blocks and cast-in-place concrete slabs), bulkheads, piers, wharves, fenders and dolphins. This work category is also applicable to excavation for structures (includes cofferdams, temporary cribs, etc.), piling (all types), de-watering, mechanical dredging, underwater inspection and underwater repair.

EQUIPMENT REQUIRED: Barge and barge-mounted crane.

CALCULATION OF WORK RATING: Secondary formula.

HYDRAULIC DREDGING

Dredging of various waterways by the use of pumping equipment.

EQUIPMENT REQUIRED: Barge and pumping equipment.

CALCULATION OF WORK RATING: Secondary formula.

HOT (IN-PLACE) RECYCLING

A road construction technique that involves a single-pass or a two-pass operation which scarifies and rejuvenates the existing pavement material or combines existing pavement material with virgin material.

EQUIPMENT REQUIRED: Either a single recycle machine or a recycling train capable of heating, scarifying, remixing and relaying pavement material. Compaction equipment is also required.

CALCULATION OF WORK RATING: Secondary formula.

COLD (IN-PLACE) RECYCLING

A road construction technique that reuses existing pavement material.

EQUIPMENT REQUIRED: Emulsion tanker truck, recycle machine, paver and compaction equipment.

CALCULATION OF WORK RATING: Secondary formula.

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

## Section 650 .APPENDIX B REQUEST FOR EXTENSION OF PREQUALIFICATION RATINGS

Engineer of Construction  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 322  
Springfield, IL 62764

Extension Letter  
from the CPA (30 Day)

Dear \_\_\_\_\_:

Our client, (firm), requires a thirty (30) day extension of their prequalification ratings (include the reason for the extension).

\_\_\_\_\_  
Signature(s)

Engineer of Construction  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 322  
Springfield, IL 62764

Extension Letter  
from the CPA (60 or 90 Day)

Dear \_\_\_\_\_:

Our client, (firm), requires a (sixty (60) or ninety (90)) day extension of their prequalification ratings (include the reason for the extension). Included is an adjusted trial balance sheet as of the audit date for your use.

\_\_\_\_\_  
Signature(s)



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

## Section 650. APPENDIX C FINANCIAL PLEDGE LETTERS

Engineer of Construction  
 Illinois Department of Transportation  
 2300 South Dirksen Parkway, Room 322  
 Springfield, IL 62764

Individual Pledge to a Contractor with an Audited or Unaudited Financial Statement

Dear \_\_\_\_\_:

To improve the financial prequalification rating of (firm), (pledgor) pledge the following asset(s) to (firm) for the life of the (date of balance sheet) Contractor's Statement of Experience and Financial Condition.

## If a bank account:

- A) Name of bank
- B) Location of bank
- C) Name of account holder(s)
- D) Amount
- E) Disclosure of any pledge

(Example: A pledge against a Certificate of Deposit)

## If equipment:

- A) Description (i.e., make, model, year, serial number and size or capacity)
- B) Owner(s)
- C) Book or appraised value
- D) Disclosure of any encumbrance

## If real estate:

- A) Description
- B) Owner(s)
- C) Book or appraised value
- D) Disclosure of any encumbrance

(Example: A pledge against a stock or bond)

Note: Verification is required for bank accounts and investments involving contractors who are classified under unaudited status.

\_\_\_\_\_  
 Signature(s)

Engineer of Construction  
 Illinois Department of Transportation  
 2300 South Dirksen Parkway, Room 322  
 Springfield, IL 62764

Affiliated Company Pledge to a Contractor with an Audited or Unaudited Financial Statement

Dear \_\_\_\_\_:

To improve the financial prequalification rating of (firm), (pledgor) pledge the following assets of our financial statement to (firm) for the life of the (date of balance sheet) Contractor's Statement of Experience and Financial Condition.

\_\_\_\_\_  
 Signature(s)

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

## Section 650. APPENDIX D FINANCIAL VERIFICATION LETTER

Engineer of Construction  
 Illinois Department of Transportation  
 2300 South Dirksen Parkway, Room 322  
 Springfield, IL 62764

Verification Letter from the CPA. Required Only for an Individual Pledge to a Contractor with an Audited Financial Statement.

Dear \_\_\_\_\_:

Our client, (firm), has requested us to write this letter to verify the information below concerning asset(s) pledged by the officer(s) or director(s) or shareholder(s) or employee(s) of the firm in order to improve the financial prequalification rating of (firm) for their (date of balance sheet) Contractor's Statement of Experience and Financial Condition.

## If a bank account:

- A) Name of bank
- B) Location of bank
- C) Name of account holder(s)
- D) Amount
- E) Disclosure of any pledge

(Example: A pledge against a Certificate of deposit)

## F) Method of verification

## If equipment:

- A) Description (i.e., make, model, year, serial number and size or capacity)
- B) Owner(s)
- C) Book or appraised value
- D) Disclosure of any encumbrance
- E) Method of verification

## If real estate:

- A) Description
- B) Owner(s)
- C) Book or appraised value
- D) Disclosure of any encumbrance
- E) Method of verification

(Example: A pledge against a stock or bond)

## If other investments:

- A) Description
- B) Owner(s)
- C) Book or market value
- D) Disclosure of any pledge
- E) Method of verification

\_\_\_\_\_  
 Signature(s)

DEPARTMENT OF TRANSPORTATION  
NOTICE OF ADOPTED RULES

Section 650.APPENDIX E CORPORATE RESOLUTION

CORPORATE RESOLUTION

At a meeting held on \_\_\_\_\_ (date) at \_\_\_\_\_ (location),  
the following was approved:

(Financial Pledge by An Affiliated Company)

(Pledgor) pledge the assets of our financial statement to (firm) for the life of the (date of balance sheet) Contractor's Statement of Experience and Financial Condition.

(Equipment Pledge)

(Pledgor) pledge the following equipment (list equipment) for the exclusive use of (pledgee) for the life of the (date of balance sheet) Contractor's Statement of Experience and Financial Condition.

(Transfer of Financial or Work Rating)

(Transferor Firm) transfers \_\_\_\_\_ (amount) of its prequalification (indicate financial or work ratings) to (Transferee Firm) for the life of the (date of balance sheet) Contractor's Statement of Experience and Financial Condition. The (shareholder(s)) own (percent) of (Transferor Firm) and (percent) of (Transferee firm).

This Resolution was signed this date \_\_\_\_\_ Mo. \_\_\_\_\_ Day \_\_\_\_\_ at \_\_\_\_\_ (Location)

Signature(s) \_\_\_\_\_

Corporate Seal (Optional)

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF EMERGENCY RULES

1) Heading of the Part: Breast and Cervical Cancer Research Fund Rules

2) Code Citation: 77 Ill. Adm. Code 970

3) Section Numbers: Emergency Action:

970.10	New Section
970.20	New Section
970.30	New Section
970.40	New Section
970.50	New Section
970.60	New Section
970.70	New Section
970.80	New Section
970.90	New Section
970.100	New Section
970.110	New Section

4) Statutory Authority:

Implementing and Authorized by Section 55.70 of the Civil Administrative Code of Illinois [20 ILCS 2310/55.70], as amended by Public Act 88-85, effective July 14, 1993.

5) Effective Date of Emergency Rules: June 10, 1994

6) If these Emergency Rules are to Expire Before the End of the 150-Day Period, Please Specify the Date on Which it is to Expire: Not applicable

7) Date Filed in Agency's Principal Office: June 10, 1994

8) Reason for Emergency:

A legislative inquiry concerning clarification of whether the funds were intended to be used for screening expenses delayed earlier processing of these rules. The Department is proceeding with this rulemaking as an emergency due to the critical need expressed by research entities for funds necessary to address the significant human and economic impact of breast and cervical cancers. This tax contribution fund is unique in that the state legislature provided FY94 General Revenue funds to augment those funds anticipated through the 1993 State income tax check-off contribution. The emergency filing of the rules would allow the Department to distribute funds within a timeframe that would complement that of other State and Federal research grant projects. In accordance with the legislature's intent to promptly make these funds available, these emergency rules are filed.

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF EMERGENCY RULES

TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER U: MISCELLANEOUS PROGRAMS AND SERVICES

PART 970  
BREAST AND CERVICAL CANCER RESEARCH FUND RULES

SECTION	
970.10	Definitions
EMERGENCY	
970.20	Eligibility
EMERGENCY	
970.30	Application Procedures
EMERGENCY	
970.40	Application Review Criteria
EMERGENCY	
970.50	Notification of Award
EMERGENCY	
970.60	Award and Use of Grant Funds
EMERGENCY	
970.70	Monitoring Criteria
EMERGENCY	
970.80	Contract Expiration
EMERGENCY	
970.90	Termination of the Grant Agreement or Funding
EMERGENCY	
970.100	Denial, Suspension or Revocation of Grant Application or Grant Agreement
EMERGENCY	
970.110	Procedures for Hearings
EMERGENCY	

**AUTHORITY:** Implementing and authorized by Section 55.70 of the Civil Administrative Code of Illinois [20 ILCS 2310/55.70], as amended by Public Act 88-85, effective July 14, 1993.

**SOURCE:** Emergency rules adopted at 18 Ill. Reg. \_\_\_\_\_, effective June 10, 1994, for a maximum of 150 days.

**NOTE:** Capitalization denotes statutory language or paraphrase thereof.

Section 970.10 Definitions  
EMERGENCY

"Act" means Section 55.70 of the Civil Administrative Code of Illinois as added by Public Act 88-85, effective July 14, 1993. [20 ILCS 2310/55.70].

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF EMERGENCY RULES

9) A Complete Description of the Subjects and Issues Involved:

These rules codify the procedures and criteria for the awarding of research grants to physicians, hospitals, laboratories, education institutions, and other organizations and persons to conduct research on breast and cervical cancer. The research monies would be distributed through a Request for Proposal process. A peer review committee, whose members demonstrate and are acknowledged to have expertise in areas dealing with breast and cervical cancer research, would be responsible for reviewing the applications and providing assessments of the individual applications to an advisory committee. The Advisory Committee would then make recommendations to the Director regarding the awarding of the research grants.

10) Are There Any Proposed Amendments Pending on this Part?

Yes \_\_\_\_\_ No ✓

11) Statement of Statewide Policy Objectives:

These rules present the mechanism for providing funds to enhance the scientific knowledge resulting in lower mortality and increased prevention of breast and cervical cancer.

12) Information and Questions Regarding these Emergency Rules shall be directed to:

Gail M. DeVito  
535 West Jefferson, Fifth Floor  
Springfield, Illinois 62761  
217/782-6187

The full text of the Emergency Rules begins on the next page:



DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF EMERGENCY RULES

"Applicant" means any eligible physician, hospital, laboratory, education institution, other organization or person in Illinois whose intent is to conduct breast and cervical cancer research or to support a fellowship in the area of Breast and Cervical Cancer.

"Breast and Cervical Advisory Committee" means a committee chaired by the Director or his designee and composed of at least six additional members appointed by the Director, of which three must be representatives of the State Board of Health, Y-Me, and American Cancer Society-Illinois Chapter and the remaining individuals must be knowledgeable of either breast or cervical cancer or representative of an at-risk population. With the exception of the Chair, no appointee shall be an employee of the Department.

"Breast Cancer" means malignant tumor of the breast characterized by uncontrolled, abnormally rapid division of cells that originate in the breast and surrounding tissue and may spread to other organs.

"Cervical Cancer" means malignant tumor of the narrow lower end or neck of the uterus (cervix) characterized by uncontrolled, abnormally rapid division of cells that originate in the cervix and surrounding tissue and may spread to other organs.

"Clinical Diagnosis" means the process of identifying a disease by its characteristic signs, symptoms and laboratory findings.

"Clinical Trial" means the testing of diagnostic, treatment, and prevention techniques by comparing results in patients randomly assigned to receive one of two or more techniques being tested.

"Cure" means the eradication of disease through removal of the risk of death invoked by the disease that was treated.

"Department" means the Illinois Department of Public Health.

"Detection" means the discovery of breast or cervical cancer in a woman previously thought to be free of such cancer.

"Diagnostic Evaluation" means use of various techniques including physical exams, mammography, and evaluation by a pathologist of breast or cervical cells removed from the body to determine the presence and type of cancer.

"Director" means the Director of the Illinois Department of Public Health.

"Early Detection" means discovery of breast or cervical cancer at the first possible time when spread to other organs is least likely to occur.

DEPARTMENT OF PUBLIC HEALTH  
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"Fellowship" means supervised practical experience for an individual in a health care or scientific specialty beyond that required to earn a doctorate or, in the case of medicine, beyond that provided to hospital resident physicians to broaden expertise in breast and cervical cancer.

"Funding Period" means the time (usually twelve months coinciding with the Department's Fiscal Year) during which money is to be spent in support of a particular research project or training course.

"General Award" means presentation of funds by the Department to an applicant to conduct research on breast and cervical cancer.

"Governmental Unit Code" means the Illinois Comptroller's preassigned vendor identification number for governmental agencies and municipalities.

"Grant Agreement Period" (see Funding Period).

"Not-for-profit" means a corporation as described in the General Not-for-Profit Corporation Act of 1986 [805 ILCS 105].

"Peer Review Panel" means a group appointed by the Director, whose members demonstrate and are acknowledged to have expertise in areas dealing with breast and cervical cancer research.

"Prevention" means using various techniques including drugs, diet, and/or lifestyle changes to stop cancer from developing in healthy women.

"Principal Investigator" means the person with prime responsibility for conducting a research project.

"Project Period" means a minimum of one year and a maximum of three years (possibility of two continuation grants).

"Referral" means the process of linking persons who may be or who have been diagnosed with breast or cervical cancer with services in response to those needs.

"Research" means a scientific investigation into possible causes, location, progression, treatment, care and cure for breast and cervical cancer. RESEARCH INCLUDES, BUT IS NOT LIMITED TO, EXPENDITURES TO DEVELOP AND ADVANCE THE UNDERSTANDING, TECHNIQUES, AND MODALITIES EFFECTIVE IN EARLY DETECTION, PREVENTION, CURE, SCREENING, AND TREATMENT OF BREAST AND CERVICAL CANCER AND MAY INCLUDE CLINICAL TRIALS. (Section 55.70 of the Act)

## DEPARTMENT OF PUBLIC HEALTH

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"Research Grant" means funding provided to qualified principal investigators to investigate specific questions related to breast and cervical cancer research.

"Research Fund" means the Breast and Cervical Cancer Research Fund, which is a special fund in the State Treasury as described in Section 55.70 of the Civil Administrative Code of Illinois.

"Research Fund Checkoff" means a voluntary process by which an Illinois taxpayer may use a provision on the standard individual income tax form to contribute to the Breast and Cervical Cancer Research Fund.

"Screening" means examining and testing for cancer in women who have no overt symptoms of cancer.

"TIN number" means the nine digit federal Taxpayer Identification Number also known as the Federal Employer Identification Number (FEIN), Social Security Number, or Governmental Unit Code.

"Training and Continuing Education" means extending or updating the knowledge of research scientists, health care professionals and other allied persons.

"Treatment" means the management and care of a woman for the purpose of combating breast or cervical cancer.

Section 970.20 Eligibility  
EMERGENCY

- a) Eligible applicants include physicians licensed in Illinois to practice medicine in all of its branches, licensed hospitals in Illinois, certified laboratories in Illinois in compliance with the Clinical Laboratory Improvement Act (CLIA), certified mammography professional and facilities in compliance with Mammography Quality Standards Act of 1992 (MQSA, effective October 1, 1994), post-secondary higher educational institutions in Illinois and other medically affiliated organizations in Illinois and persons who are Illinois residents or sponsored by an Illinois facility guaranteeing benefits to Illinois residents.
- b) All certified local health Departments which provide public health programs as defined in 77 Ill. Adm. 615.200.

Section 970.30 Application Procedures  
EMERGENCY

The Department shall provide written application instructions and forms to potential applicants.

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a) All applications shall include the following:

- 1) the principal investigator's name, address, and telephone and FAX and teletypewriter (TTY) numbers, if available;
- 2) the name, address, and telephone and FAX and TTY numbers, if available, of the entity (such as a university) through which the application is being submitted, if different from the information provided in subsection (a)(1) of this Section;
- 3) the curriculum vitae of the principal investigator;
- 4) a one-page non-technical abstract, which describes the significance of the applicant's project for breast and/or cervical cancer research;
- 5) the Social Security Number, Taxpayer Identification Number (TIN) or the Governmental Unit Code assigned by the State of Illinois, Office of the Comptroller;
- 6) the signature of principal investigator or agency official authorized to certify the application;
- 7) an approximate timetable for project completion;
- 8) a detailed budget for the funding period, documenting sufficient resources to carry out the project. The budget shall be by line item category and shall provide sufficient detail to justify the use of grant funds to support project activities. The applicant shall indicate the total cost of conducting the project(s), the anticipated funding request for year 2 and 3 of the project (if applicable), the source of other funds supporting the project(s), the amount of support requested from the Department;
- 9) a signed Statement of Assurances indicating compliance with applicable State and federal requirements, such as the Fiscal Control and Internal Auditing Act, Office of Management and Budget (OMB) Circular A-128 (local governments), OMB Circular A-133 (not-for-profit organizations), bribery certification, contract debarment, unlawful discrimination, Illinois Human Rights Act, Federal Civil Rights Act, Drug Free Workplace Act, Davis-Bacon Act, conflict of interest as specified in the Illinois Purchasing Act, and protection of the confidentiality of services;
- 10) a statement of whether funds are being requested for a fellowship or a general award;

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY RULES

- 11) a description of the methods to be used to identify and select interventions or model programs, or a description of interventions or model programs on which project implementation will be based;
  - 12) a prioritized listing of measurable objectives for the funding period;
  - 13) for each objective proposed for the first year of the project, a sequential listing of activities to achieve the objective, the time line for completing each activity, identification of the individual responsible for coordinating the implementation of each objective; and
  - 14) the evaluation methods to be used to measure progress in achieving objectives and a plan for monitoring the overall project.
- b) If the funds are being requested to support a fellowship, the following information shall be provided in addition to the information required in subsection (a) of this Section;
- 1) the name of individual to be supported through the Fellowship;
  - 2) the curriculum vitae of individual; and
  - 3) at least one letter of recommendation from the principal investigator or agency official authorized to certify the application.
- c) All continuation applications shall contain the information required in subsection (a) and, in addition, shall include the following:
- 1) a progress report which contains a description of the status on each activity of the project to date, utilizing the evaluation methods and monitoring plan specified in subsection (A)(14) of this Section;
  - 2) documentation of progress in meeting each project objective which may include;
  - 3) the project objectives for the new grant year, along with activities and timelines for completion of each activity; and
  - 4) any revisions in the evaluation methods or the monitoring plan, along with the rationale for such revisions.

Section 970.40 Application Review Criteria  
EMERGENCY

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## NOTICE OF EMERGENCY RULES

A non-technical and technical review shall be conducted for each application received by the Department:

- a) Criteria for the non-technical review shall include:
  - 1) inclusion of all required forms specified in Section 970.30; and
  - 2) the inclusion of a response to each required item as specified in Section 970.30.
- b) Criteria for the technical review shall be as follows:
  - 1) the activities identified by the applicant will lead to achievement of the objectives;
  - 2) the project objectives are achievable in the stated time frame;
  - 3) the evaluation methods will measure progress toward the identified objectives;
  - 4) the budget (Section 970.30(a)(8)) provides sufficient resources and justifies the need for funds to carry out the project; and
  - 5) continuation applicants have documented the status of each activity in support of the current year objectives and have provided an estimate of the extent to which each current year objective will be met.

Section 970.50 Notification of Award  
EMERGENCY

- a) The Department shall be empowered to award an amount less than the amount requested in an application.
- b) The Department shall prepare grant agreements and award transmittal letters. Receipt of the transmittal letter and grant agreement for signature by the applicant shall constitute notification of award.
- c) Applicants who are not awarded grant funds shall be notified in writing by the Department.
- d) The grant agreement shall not be sold, assigned or transferred in any manner. Any actual or attempted sale, assignment or transfer shall render the grant agreement null, void and of no further effect. If the Grantee for whatever reason ceases operation, the grant agreement shall be terminated.



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Section 970.60 Award and Use of Grant Funds  
EMERGENCY

- a) Project funds shall only be used for the direct cost of administering, operating and maintaining a project. The following direct costs are examples of those that may be incurred when specified in the grant agreement:
- 1) personal services costs, including gross salaries and employer paid fringe benefits for full-time and part-time employees of the project;
  - 2) contractual services costs, including but not limited to, fees for consultants and specialists, exclusive of consultant services for patient care; conference registration fees, repair and maintenance of furniture and equipment; postage and postal services; subscriptions; training and education costs; software; and telecommunications costs;
  - 3) travel of personnel in carrying out authorized activities. Travel costs are the expenses for transportation, lodging and subsistence for personnel who are on travel status on official business for the application. Out-of-State travel requires prior written approval of the Department;
  - 4) supplies/commodities as required in the operation of the project which are directly related to its operation. Supplies include, but are not limited to, office, medical and educational supplies; equipment items costing less than \$100.00 each; printing; and paper; and
  - 5) equipment directly related to the operation of the project. (Equipment is defined as items costing over \$100.00 each, with a useful life of more than one year ((the State Finance Act; Ill. Rev. Stat. 1991, ch. 127, par. 156 [30 ILCS 105/20])). Equipment costs shall include all freight and installation costs. Purchase of equipment items, other than those included in the approved budget require prior written approval from the Department.)
- b) Payments to the grantee shall be made on a reimbursement basis.
- 1) The grantee shall use the Department's Reimbursement Certification Form or a reasonable facsimile to request reimbursement.
  - 2) The grantee shall document actual expenditures incurred for the purchase of goods and services necessary for conducting program activities.
    - A) Expenditures shall be itemized on the Reimbursement Certification Form in such a manner as to establish an audit trail for future verification of appropriate use of grant funds.

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B) Each item claimed on the Reimbursement Certification Form must be based on an expenditure traceable through the Grantee's internal accounting system and shall include:

- i) the check number or internal ledger transfer code;
  - ii) date of payment;
  - iii) dates goods or services were received or the period covered;
  - iv) a description of the goods or services for gross amount of the check or transfer; and
  - v) the amount claimed for reimbursement from the Department.
- 3) The grantee shall submit requests for reimbursement periodically (monthly or quarterly) throughout the period of the grant. The final request for reimbursement shall be submitted within forty-five (45) calendar days after the end of the grant agreement period.
  - c) Requests for budget adjustments shall be submitted to the Department in writing and shall be received by the Department no later than forty-five (45) calendar days before the end of the grant agreement period.

Section 970.70 Monitoring Criteria  
EMERGENCY

- a) Successful applicants will be required to submit written reports of progress towards achieving objectives at:
- 1) six months into the grant agreement period,
  - 2) the time of submission of a continuation application, and
  - 3) the end conclusion of the agreement period.
- b) The reports must include the following:
- 1) information reflecting the status of the project in accordance with the proposed timeframes reflected in the application,
  - 2) information on each objective addressing the methods implemented to achieve the status,

## DEPARTMENT OF PUBLIC HEALTH

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- 3) a projection of methods and timeframes involved to accomplish the objectives within the timeframe remaining except for the end of project summary report, and
- 4) a project summary at the close of the project period documenting the achievements and ultimate conclusions derived as a result of the project.
- c) All reports must address the budget and use of funds.
- d) The Department reserves the right to request an oral presentation concerning the status or an end of project report for the benefit of the Advisory Committee or other formally recognized audiences.

Section 970.80 Contract Expiration  
EMERGENCY

All projects shall end on the date specified in the grant agreement and shall not be extended or renewed. A continuation application as provided for in Section 970.30(c) may result in a new grant agreement with a new expiration date.

Section 970.90 Termination of the Grant Agreement or Funding  
EMERGENCY

- a) The grant agreement may be terminated by either party upon thirty (30) calendar days written notice to the other party as specified in the grant agreement.
- b) The grant agreement may be terminated immediately without penalty of further payment being required if the Illinois General Assembly fails to appropriate or otherwise make available sufficient funds for the award or if sufficient funds are not available in the Research Fund.
- c) The Department shall be empowered to suspend funding or terminate the contract of a grantee who has substantially failed to comply with this Part or the terms and conditions of the grant agreement.

Section 970.100 Denial, Suspension or Revocation of Grant Application or Grant Agreement  
EMERGENCY

- a) The Director, after notice and opportunity for hearing, may deny the application for grant funds or suspend or revoke the grant agreement of any grantee in any case in which the Director finds substantial or continued failure to comply with this Part. If, however, the Director finds that the public interest, health, safety, or welfare requires emergency action and if the Director incorporates a finding to that effect in the order, summary suspension of the grant agreement may be ordered pending proceedings for

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- revocation. Such proceedings shall be promptly instituted and promptly determined.
- b) Such notice shall be made by certified mail or by personal service and shall set forth the particular reasons for the proposed action and provide the grantee with an opportunity to request a hearing. If a written hearing request is not received within 10 days of receipt of the notice by the grantee, the right to a hearing is waived.

Section 970.110 Procedures for Hearings  
EMERGENCY

The Rules of Practice and Procedure in Administrative Hearings, 77 Illinois Administrative Code 100, shall apply to all proceedings conducted under this Part, with the exception that where the terms "license" and "licensing" are used in Part 970, the definitions of those terms shall be expanded to include any grantee awarded funds pursuant to this Part and any grant agreement executed pursuant to this Part.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

1) The Heading of the Part: Pay Plan

2) The Code Citation: 80 Ill. Adm. Code 310

3) Section Number:

310. Appendix A, Table A  
 310. Appendix A, Table B  
 310. Appendix A, Table C  
 310. Appendix A, Table H  
 310. Appendix A, Table I  
 310. Appendix A, Table J  
 310. Appendix A, Table N  
 310. Appendix A, Table O  
 310. Appendix A, Table R  
 310. Appendix A, Table W  
 310. Appendix A, Table X  
 310. Appendix A, Table Y  
 310. Appendix A, Table Z

Peremptory Action:

Amended  
 Amended  
 Amended  
 Amended  
 Amended  
 Amended  
 Amended  
 Amended  
 Amended  
 Amended  
 Amended  
 Amended

4) Reference to the specific State or Federal Court Order, Federal Rule or Statute which requires this Peremptory Rulemaking:

Section 2 of the Illinois Administrative Procedures Act (Ill. Rev. Stat. 1991, ch. 127, par. 1002) [5 LICs 100/1-1]

5) Statutory Authority: Ill. Rev. Stat. 1991, ch. 48, par. 1607 [20 LICs 4158a(2)]

6) Effective Date: **JUN 13 1994**

7) A Complete Description of the Subjects and Issues Involved:

These amendments to the Pay Plan reflect the recent SEIU, Local #25 settlement for the Building Service Workers (Janitorial) and the Elevator Operators, effective April, 1994 through April, 1996; and the recently negotiated three year AFSCME Collective Bargaining Agreement for July, 1994 through July, 1996.

In Section 310, Tables A and B, the salaries of the Building Services Worker shall be increased from \$1,809.60 to \$1,896.00; and the Elevator Operator shall be increased from \$1,861.80 - \$1,896.60 - \$1,914.00 to \$1,948.80 - \$1,983.60 - \$2,001.00, effective April 1, 1994.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

In Section 310, Tables C, H, I, J, N, O, R, W, X, Y and Z, the salaries of the AFSCME Units of RC-069, RC-006, RC-009, RC-014, RC-028, RC-042, RC-062 and RC-063 shall be increased by 3% in each of the three consecutive years, effective July 1, 1994 through July, 1996.

In addition to the 3% across the board increase, the following classes will receive inequity adjustment, effective July 1, 1994:

In Section 310, Table H (RC-006), the salary ranges of the Corrections Supply Supervisor I and II will be increased by one pay grade.

In Section 310, Table I (RC-009), the salary ranges of the Apparel/Dry Goods Specialist I, II, Commissary Manager II, and Institutional Maintenance Worker will be increased by one pay grade. The RC-009 salary ranges of the Commissary Clerk I (RC-006/RC-009) and Commissary Manager I (RC-006/RC-009) will become parallel with the RC-006 salary ranges.

In Section 310, Table J (RC-014), the Communications Dispatcher's salary range will be adjusted by one grade from Salary Grade 08 to 09.

In Section 310, Table O (RC-028), the Compliance Officer and Dental Assistant classes will be adjusted by one grade from Salary Grade 13 to 14 and Salary Grade 06 to 07, respectively. The Dental Hygienist's salary range will be adjusted by two grades from Salary Grade 10 to 12.

Effective July 1, 1995, all titles in the RC-042 Bargaining Unit as well as the Licensed Practical Nurse I and II in the RC-009/RC-028 Bargaining Units will be increased one pay grade.

8) Does this rulemaking contain an automatic repeal date? Yes X No  
 If "yes", please specify date:

9) Date Filed in Agency's Principle Office: **JUN 13 1994**

10) Is this Rule in compliance with Section 5.03 of the Illinois Administrative Procedures Act?  
 Yes.

11) Are there any proposed amendments pending to this part?

Section Numbers Proposed Action Ill. Reg. Citation



DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

12) Statement of Statewide Objectives:

These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

13) The name, address and telephone number of the person to whom information and questions concerning this peremptory rule shall be directed to:

Within 45 days, comments should be written and addressed to:

Mr. Michael Murphy  
Department of Central Management Services  
Division of Technical Services  
504 William G. Stratton Building  
Springfield, Illinois 62706

Telephone: (217) 782-5601

The full text of the Peremptory Amendment is as follows:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310

PAY PLAN

SUBPART A: NARRATIVE

Section	Policy and Responsibilities
310.20	Jurisdiction
310.30	Pay Schedules
310.40	Definitions
310.50	Conversion of Base Salary to Pay Period Units
310.60	Conversion of Base Salary to Daily or Hourly Equivalents
310.70	Increases in Pay
310.80	Decreases in Pay
310.90	Other Pay Provisions
310.100	Implementation of Pay Plan Changes for Fiscal Year 1994
310.110	Interpretation and Application of Pay Plan
310.120	Effective Date
310.130	Reinstitution of Within Grade Salary Increases
310.140	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, effective July 1, 1984
310.150	(Repealed)

SUBPART B: SCHEDULE OF RATES

Section	Introduction
310.205	Prevailing Rate
310.210	Negotiated Rate
310.220	Part-Time Daily or Hourly Special Services Rate
310.230	Hourly Rate
310.240	Member, Patient and Inmate Rate
310.250	Trainee Rate
310.260	Legislated and Contracted Rate
310.270	Designated Rate
310.280	Out-of-State or Foreign Service Rate
310.290	Educator Schedule for RC-063 and HR-010
310.300	

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICE

## NOTICE OF PEREMPTORY AMENDMENTS

310 310 Physician Specialist Rate  
 310 320 Annual Compensation Ranges for Executive Director and Assistant Executive Director,  
 State Board of Elections  
 310 330 Excluded Classes Rate (Repealed)

## SUBPART C: MERIT COMPENSATION SYSTEM

Section  
 310 410 Jurisdiction  
 310 420 Objectives  
 310 430 Responsibilities  
 310 440 Merit Compensation Salary Schedule  
 310 450 Procedures for Determining Annual Merit Increases  
 310 455 Intermittent Merit Increase  
 310 456 Merit Zone  
 310 460 Other Pay Increases  
 310 470 Adjustment  
 310 480 Decreases in Pay  
 310 490 Other Pay Provisions  
 310 495 Senior Public Service Administrator ~~System~~ Class Series  
 310 500 Definitions  
 310 510 Conversion of Base Salary to Pay Period Units  
 310 520 Conversion of Base Salary to Daily or Hourly Equivalents  
 310 530 Implementation  
 310 540 Annual Merit Increase Guidechart for Fiscal Year 1994  
 310 550 Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984  
 (Repealed)

APPENDIX A Negotiated Rates of Pay  
 TABLE A HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)  
 TABLE B HR-200 (Department of Labor - Chicago, Illinois - SEIU)  
 TABLE C RC-069 (Firefighters, AFSCME)  
 TABLE D HR-001 (Teamsters Local #726)  
 TABLE E RC-020 (Teamsters Local #330)  
 TABLE F RC-019 (Teamsters Local #25)  
 TABLE G RC-045 (Automotive Mechanics, IFPE)  
 TABLE H RC-006 (Corrections Employees, AFSCME)  
 TABLE I RC-009 (Institutional Employees, AFSCME)  
 TABLE J RC-014 (Clerical Employees, AFSCME)

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TABLE K RC-023 (Registered Nurses, INA)  
 TABLE L VR-004 (Illinois State Treasurer's Office Employees, Teamsters and IFT)  
 TABLE M RC-110 (Conservation Police Lodge)  
 TABLE N RC-010 (Professional Legal Unit, AFSCME)  
 TABLE O RC-028 (Paraprofessional Human Services Employees, AFSCME)  
 TABLE P RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)  
 TABLE Q RC-033 (Meat Inspectors, IFPE)  
 TABLE R RC-042 (Residual Maintenance Workers, AFSCME)  
 TABLE S RC-012 (Fair Employment Practices Employees, SEIU)  
 TABLE T HR-010 (Teachers of Deaf, IFT)  
 TABLE U HR-010 (Teachers of Deaf, Extracurricular Paid Activities)  
 TABLE V CU-500 (Corrections Meet and Confer Employees)  
 TABLE W RC-062 (Technical Employees, AFSCME)  
 TABLE X RC-063 (Professional Employees, AFSCME)  
 TABLE Y RC-063 (Educators, AFSCME)  
 TABLE Z RC-063 (Physicians, AFSCME)  
 APPENDIX B Schedule of Salary Grades - Monthly and Annual Rates of Pay for Fiscal Year 1994  
 APPENDIX C Medical Administrative Rates for Fiscal Year 1994  
 APPENDIX D Merit Compensation System Salary Schedule for Fiscal Year 1994  
 APPENDIX E Teaching Salary Schedule (Repealed)  
 APPENDIX F Physician and Physician Specialist Salary Schedule (Repealed)  
 APPENDIX G Senior Public Service Administrator Salary Schedule, effective August 16, 1993

AUTHORITY: Implementing and authorized by Section 8a(2) of the Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b108a.2) [20 ILCS 4158a(2)].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days;

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICE

## NOTICE OF PEREMPTORY AMENDMENTS

amended at 9 III. Reg. 1320, effective January 23, 1985; amended at 9 III. Reg. 3681, effective March 12, 1985; emergency amendment at 9 III. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 III. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 III. Reg. 9420, effective June 7, 1985; amended at 9 III. Reg. 10663, effective July 1, 1985; emergency amendment at 9 III. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 III. Reg. 3325, effective January 22, 1986; amended at 10 III. Reg. 3230, effective January 24, 1986; emergency amendment at 10 III. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 III. Reg. 8928, effective May 13, 1986; emergency amendment at 10 III. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 III. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 III. Reg. 14867, effective August 26, 1986; amended at 10 III. Reg. 15567, effective September 17, 1986; emergency amendment at 10 III. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 III. Reg. 19132, effective October 28, 1986; peremptory amendment at 10 III. Reg. 21097, effective December 9, 1986; amended at 11 III. Reg. 648, effective December 22, 1986; peremptory amendment at 11 III. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 III. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 III. Reg. 6291, effective March 23, 1987; amended at 11 III. Reg. 5901, effective March 24, 1987; emergency amendment at 11 III. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 III. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 III. Reg. 13675, effective July 29, 1987; amended at 11 III. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 III. Reg. 15273, effective September 1, 1987; peremptory amendment at 11 III. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 III. Reg. 19812, effective November 19, 1987; emergency amendment at 11 III. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 III. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 III. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 III. Reg. 5459, effective March 3, 1988; amended at 12 III. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 III. Reg. 7783, effective April 14, 1988; emergency amendment at 12 III. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 III. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 III. Reg. 9745, effective May 23, 1988; emergency amendment at 12 III. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 III. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 III. Reg. 13306, effective July 27, 1988, corrected at 12 III. Reg. 13359; amended at 12 III. Reg. 14630, effective September 6, 1988; amended at 12 III. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 III. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 III. Reg. 8080, effective May 10, 1989; amended at 13 III. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 III. Reg. 8970, effective May 26, 1989; emergency amendment at 13 III. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 III. Reg. 11451, effective June 28, 1989; emergency amendment at 13 III. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 III. Reg. 12647; peremptory amendment at 13 III. Reg. 12887, effective July 24, 1989; amended at 13

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

III. Reg. 16950, effective October 20, 1989; amended at 13 III. Reg. 19221, effective December 12, 1989; amended at 14 III. Reg. 615, effective January 2, 1990; peremptory amendment at 14 III. Reg. 1627, effective January 11, 1990; amended at 14 III. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 III. Reg. 7652, effective May 7, 1990; amended at 14 III. Reg. 10002, effective June 11, 1990; emergency amendment at 14 III. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 III. Reg. 14361, effective August 24, 1990; emergency amendment expired on February 8, 1991; corrected at 14 III. Reg. 16092; peremptory amendment at 14 III. Reg. 17098, effective September 26, 1990; amended at 14 III. Reg. 17189, effective October 2, 1990; amended at 14 III. Reg. 17189, effective October 19, 1990; amended at 14 III. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 III. Reg. 18854, effective November 13, 1990, peremptory amendment at 15 III. Reg. 663, effective January 7, 1991; amended at 15 III. Reg. 3296, effective February 14, 1991; amended at 15 III. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 III. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 III. Reg. 5465, effective April 2, 1991; emergency amendment at 15 III. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 III. Reg. 11080, effective July 19, 1991; amended at 15 III. Reg. 13080, effective August 21, 1991; amended at 15 III. Reg. 14210, effective September 23, 1991; emergency amendment at 16 III. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 III. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 III. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 III. Reg. 7056, effective April 20, 1992; emergency amendment at 16 III. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 III. Reg. 8382, effective May 26, 1992; emergency amendment at 16 III. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 III. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended by 17 III. Reg. 238, effective December 23, 1992; peremptory amendment at 17 III. Reg. 498, effective December 18, 1992; amended at 17 III. Reg. 590, effective January 4, 1993; amended at 17 III. Reg. 1819, effective February 2, 1993; amended at 17 III. Reg. 6441, effective April 8, 1993; emergency amendment at 17 III. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 III. Reg. 13409, effective July 29, 1993; emergency amendment at 17 III. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 III. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 III. Reg. 19103, effective October 25, 1993; emergency amendment at 17 III. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 III. Reg. 22514, effective December 15, 1993; amended at 18 III. Reg. 1107, effective January 18, 1994; amended at 18 III. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 III. Reg. \_\_\_\_\_, effective

**JUN 13 1994**



DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Section 310. Appendix A Negotiated Rates of Pay  
TABLE A HR-190 (Department of Central Management Services -- State of Illinois Building -- SEIU)

Building Services Worker	04-06-92	1,809.60
	04-01-94	1,896.60
	04-01-95	1,966.20
	04-01-96	2,035.80

Elevator Operator	Operator	Asst Starter	Starter
	04-06-92	1,861.80	1,896.60
	04-01-94	1,948.80	1,983.60
	04-01-95	2,018.40	2,053.20
	04-01-96	2,088.00	2,122.80

(Source: Peremptory amendment at 18 Ill. Reg. \_\_\_\_\_, effective JUN 13 1994)

Section 310. Appendix A Negotiated Rates of Pay  
TABLE B HR-200 (Department of Labor -- Chicago, Illinois -- SEIU)

Elevator Operator	Operator	Asst Starter	Starter
	04-06-92	1,861.80	1,896.60
	04-01-94	1,948.80	1,983.60
	04-01-95	2,018.40	2,053.20
	04-01-96	2,088.00	2,122.80

(Source: Peremptory amendment at 18 Ill. Reg. \_\_\_\_\_, effective JUN 13 1994)

Section 310. Appendix A Negotiated Rates of Pay  
TABLE C RC-069 (Firefighters, AFSCME)

Effective: July 1, 1992

	1	2	3	4	5	6	7
Facility Assistant Fire Chief	1729	1799	1864	1936	2009	2081	2200
Facility Fire Safety Coordinator	1729	1799	1864	1936	2009	2081	2200
Facility Firefighter	1601	1655	1720	1778	1841	1902	2002

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Effective: January 1, 1993

	1	2	3	4	5	6	7
Facility Assistant Fire Chief	1764	1835	1901	1975	2049	2123	2244
Facility Fire Safety Coordinator	1764	1835	1901	1975	2049	2123	2244
Facility Firefighter	1633	1688	1754	1814	1878	1940	2042

Effective: July 1, 1993

	1	2	3	4	5	6	7
Facility Assistant Fire Chief	1852	1927	1996	2074	2151	2229	2356
Facility Fire Safety Coordinator	1852	1927	1996	2074	2151	2229	2356
Facility Firefighter	1715	1772	1842	1905	1972	2037	2144

Effective: July 1, 1994

STEPS

1a 1/	1	2	3	4	5	6	7
Facility Assistant Fire Chief	1852	1908	1985	2056	2136	2216	2296
Facility Fire Safety Coordinator	1852	1908	1985	2056	2136	2216	2296
Facility Firefighter	1715	1766	1825	1897	1962	2031	2098

1/ Entry level step in first year of contract.

Effective: July 1, 1995

STEPS

1b 2/ 1a	1	2	3	4	5	6	7
Facility Assistant Fire Chief	1852	1908	1965	2045	2118	2200	2282
Facility Fire Safety Coordinator	1852	1908	1965	2045	2118	2200	2282
Facility Firefighter	1715	1766	1819	1880	1954	2021	2092

2/ Entry level step in second year of contract.

Effective: July 1, 1996

STEPS

1c 3/ 1b	1a	1	2	3	4	5	6	7
Facility Assistant Fire Chief	1852	1908	1965	2024	2106	2182	2266	2350
Facility Assistant Fire Chief	1852	1908	1965	2024	2106	2182	2266	2350

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Facility Fire Safety Coordinator 1852 1908 1965 2024 2106 2182 2266 2350 2436 2575  
Facility Firefighter 1715 1766 1819 1874 1936 2013 2082 2155 2226 2342

3/ Entry level step in third year of contract.

(Source: Peremptory amendment at 18 Ill. Reg. \_\_\_\_\_, effective JUN 13 1994)

Section 310. Appendix A Negotiated Rates of Pay  
TABLE H RC-006 (Corrections Employees, AFSCME)

		Effective: July 1, 1991						
		S T E P S						
		1	2	3	4	5	6	7
CANINE SPECIALIST	2162-2265	2370	2469	2570	2674	2834		
COMMISSARY CLERK	1315-1357	1398	1443	1488	1532	1608		
COMMISSARY MANAGER I	1357-1399	1450	1494	1539	1587	1664		
CORRECTIONAL OFFICER	1770-1844	1920	1998	2073	2152	2270		
CORRECTIONAL OFFICER - TRAINEE	1512-1569	1630	1688	1751	1812	1905		
CORRECTIONAL SERGEANT	1941-2026	2110	2203	2288	2378	2515		
CORRECTIONS AGRICULTURAL LEAD WORKER	2027-2120	2213	2306	2400	2490	2635		
CORRECTIONS AGRICULTURE SUPERVISOR	2234-2342	2449	2551	2661	2768	2932		
CORRECTIONS CLERK I	1770-1844	1920	1998	2073	2152	2270		
CORRECTIONS CLERK II	1941-2026	2110	2203	2288	2378	2515		
CORRECTIONS COOK I	1302-1557	1613	1674	1732	1790	1887		
CORRECTIONS COOK II	1617-1688	1752	1819	1884	1951	2060		
CORRECTIONS FOOD SERVICE SUPERVISOR I	1941-2026	2110	2203	2288	2378	2515		
CORRECTIONS FOOD SERVICE SUPERVISOR II	2128-2226	2328	2429	2531	2633	2787		
CORRECTIONS GROUNDS SUPERVISOR	2027-2120	2213	2306	2400	2490	2635		
CORRECTIONS IDENTIFICATION TECHNICIAN	1840-1926	2012	2092	2172	2256	2384		
CORRECTIONS INDUSTRY LEAD WORKER	2027-2120	2213	2306	2400	2490	2635		
CORRECTIONS LAUNDRY MANAGER I	2027-2120	2213	2306	2400	2490	2635		
CORRECTIONS LOCKSMITH	2027-2120	2213	2306	2400	2490	2635		

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

CORRECTIONS MAINTENANCE 2027-2120-2213-2306-2400-2490-2635  
CRAFTSMAN  
CORRECTIONS MAINTENANCE 1849-1926-2012-2092-2172-2256-2384  
WORKER  
CORRECTIONS MEDICAL 1849-1926-2012-2092-2172-2256-2384  
TECHNICIAN  
CORRECTIONS PRINTER 1941-2026-2110-2203-2288-2378-2515  
CORRECTIONS RESIDENCE 1849-1926-2012-2092-2172-2256-2384  
COUNSELOR I  
CORRECTIONS SUPPLY 1849-1926-2012-2092-2172-2256-2384  
SUPERVISOR I  
CORRECTIONS SUPPLY 2027-2120-2213-2306-2400-2490-2635  
SUPERVISOR II  
CORRECTIONS 1941-2026-2110-2203-2288-2378-2515  
TRANSPORTATION OFFICER I  
CORRECTIONS UTILITIES 2027-2120-2213-2306-2400-2490-2635  
OPERATOR  
CORRECTIONS VOCATIONAL 2027-2120-2213-2306-2400-2490-2635  
INSTRUCTOR  
EDUCATOR AIDE 1617-1688-1752-1819-1884-1951-2060  
HOUSEKEEPER II 1315-1357-1398-1443-1488-1532-1608  
PEST CONTROL OPERATOR 1617-1688-1752-1819-1884-1951-2060  
PROPERTY & SUPPLY CLERK II 1399-1452-1497-1549-1598-1650-1734  
STOREKEEPER I 1557-1615-1680-1740-1809-1867-1967  
STOREKEEPER II 1690-1761-1830-1903-1975-2041-2158  
STORES CLERK 1357-1399-1450-1494-1539-1587-1664  
YOUTH SUPERVISOR I 1617-1688-1752-1819-1884-1951-2060  
YOUTH SUPERVISOR II 1770-1844-1920-1998-2073-2152-2270  
YOUTH SUPERVISOR III 2027-2120-2213-2306-2400-2490-2635  
YOUTH SUPERVISOR TRAINEE 1512-1569-1630-1688-1751-1812-1905

NOTE: Effective January 1, 1992, employees who have 15 years of service and have 3 or more years of creditable service on Step 7 in the same pay grade shall receive an additional \$25.00 monthly.

Effective July 1, 1992

		S T E P S						
		1	2	3	4	5	6	7
CANINE SPECIALIST	2216-2322	2429	2531	2634	2741	2905		
COMMISSARY CLERK	1348-1391	1433	1479	1525	1570	1648		
COMMISSARY MANAGER I	1301-1434	1486	1531	1577	1627	1706		
CORRECTIONAL OFFICER	1814-1890	1948	2048	2125	2206	2327		

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

CORRECTIONAL OFFICER TRAINEE	1550-1608-1671-1730-1795-1857-1953
CORRECTIONAL SERGEANT	1990-2077-2163-2258-2345-2437-2578
CORRECTIONS AGRICULTURAL LEAD WORKER	2078-2173-2268-2364-2460-2552-2701
CORRECTIONS AGRICULTURE SUPERVISOR	2290-2401-2510-2615-2728-2837-3005
CORRECTIONS CLERK I	1814-1890-1968-2048-2125-2206-2327
CORRECTIONS CLERK II	1990-2077-2163-2258-2345-2437-2578
CORRECTIONS COOK I	1540-1596-1653-1716-1775-1835-1934
CORRECTIONS COOK II	1637-1730-1796-1864-1931-2000-2112
CORRECTIONS FOOD SERVICE SUPERVISOR I	1990-2077-2163-2258-2345-2437-2578
CORRECTIONS FOOD SERVICE SUPERVISOR II	2181-2282-2386-2490-2594-2699-2857
CORRECTIONS GROUNDS SUPERVISOR	2078-2173-2268-2364-2460-2552-2701
CORRECTIONS IDENTIFICATION TECHNICIAN	1895-1974-2062-2144-2226-2312-2444
CORRECTIONS INDUSTRY LEAD WORKER	2078-2173-2268-2364-2460-2552-2701
CORRECTIONS LAUNDRY MANAGER I	2078-2173-2268-2364-2460-2552-2701
CORRECTIONS LOCKSMITH	2078-2173-2268-2364-2460-2552-2701
CORRECTIONS MAINTENANCE CRAFTSMAN	2078-2173-2268-2364-2460-2552-2701
CORRECTIONS MAINTENANCE WORKER	1895-1974-2062-2144-2226-2312-2444
CORRECTIONS MEDICAL TECHNICIAN	1895-1974-2062-2144-2226-2312-2444
CORRECTIONS PRINTER	1990-2077-2163-2258-2345-2437-2578
CORRECTIONS RESIDENCE COUNSELOR I	1895-1974-2062-2144-2226-2312-2444
CORRECTIONS SUPPLY SUPERVISOR I	1895-1974-2062-2144-2226-2312-2444
CORRECTIONS SUPPLY SUPERVISOR II	2078-2173-2268-2364-2460-2552-2701
CORRECTIONS TRANSPORTATION OFFICER I	1990-2077-2163-2258-2345-2437-2578
CORRECTIONS UTILITIES OPERATOR	2078-2173-2268-2364-2460-2552-2701
CORRECTIONS VOCATIONAL INSTRUCTOR	2078-2173-2268-2364-2460-2552-2701

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

EDUCATOR AIDE	1657-1730-1796-1864-1931-2000-2112
HOUSEKEEPER II	1348-1391-1433-1479-1525-1570-1648
PEST CONTROL OPERATOR	1657-1730-1796-1864-1931-2000-2112
PROPERTY & SUPPLY CLERK II	1434-1488-1534-1588-1638-1691-1777
STOREKEEPER I	1668-1730-1800-1863-1937-2000-2107
STOREKEEPER II	1810-1886-1960-2039-2116-2186-2311
STORES CLERK	1391-1434-1486-1531-1577-1627-1706
YOUTH SUPERVISOR I	1657-1730-1796-1864-1931-2000-2112
YOUTH SUPERVISOR II	1814-1890-1968-2048-2125-2206-2327
YOUTH SUPERVISOR III	2078-2173-2268-2364-2460-2552-2701
YOUTH SUPERVISOR TRAINEE	1550-1608-1671-1730-1795-1857-1953

EFFECTIVE: JANUARY 1, 1993						
S T E P S						
1	2	3	4	5	6	7
CANINE SPECIALIST	2260-2368-2478-2582-2687-2796-2963					
COMMISSARY CLERK	1375-1419-1462-1509-1556-1601-1681					
COMMISSARY MANAGER I	1419-1463-1516-1562-1609-1660-1740					
CORRECTIONAL OFFICER	1850-1928-2007-2089-2168-2250-2374					
CORRECTIONAL OFFICER TRAINEE	1581-1640-1704-1765-1831-1894-1992					
CORRECTIONAL SERGEANT	2030-2119-2206-2303-2392-2486-2630					
CORRECTIONS AGRICULTURAL LEAD WORKER	2120-2216-2313-2411-2509-2603-2755					
CORRECTIONS AGRICULTURE SUPERVISOR	2336-2449-2560-2667-2783-2894-3065					
CORRECTIONS CLERK I	1850-1928-2007-2089-2168-2250-2374					
CORRECTIONS CLERK II	2030-2119-2206-2303-2392-2486-2630					
CORRECTIONS COOK I	1571-1628-1686-1750-1811-1872-1973					
CORRECTIONS COOK II	1690-1765-1832-1901-1970-2040-2154					
CORRECTIONS FOOD SERVICE SUPERVISOR I	2030-2119-2206-2303-2392-2486-2630					
CORRECTIONS FOOD SERVICE SUPERVISOR II	2225-2328-2434-2540-2646-2753-2914					
CORRECTIONS GROUNDS SUPERVISOR	2120-2216-2313-2411-2509-2603-2755					
CORRECTIONS IDENTIFICATION TECHNICIAN	1933-2013-2103-2187-2271-2358-2493					
CORRECTIONS INDUSTRY LEAD WORKER	2120-2216-2313-2411-2509-2603-2755					
CORRECTIONS LAUNDRY MANAGER I	2120-2216-2313-2411-2509-2603-2755					



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

CORRECTIONS LOCKSMITH 2120-2216-2313-2411-2509-2603-2755  
 CORRECTIONS MAINTENANCE 2120-2216-2313-2411-2509-2603-2755  
 CRAFTSMAN  
 WORKER  
 CORRECTIONS MAINTENANCE 1933-2013-2103-2187-2271-2358-2493  
 CORRECTIONS MEDICAL 1933-2013-2103-2187-2271-2358-2493  
 TECHNICIAN  
 CORRECTIONS PRINTER 2030-2119-2206-2303-2392-2486-2630  
 CORRECTIONS RESIDENCE 1933-2013-2103-2187-2271-2358-2493  
 COUNSELOR I  
 CORRECTIONS SUPPLY 1933-2013-2103-2187-2271-2358-2493  
 SUPERVISOR I  
 CORRECTIONS SUPPLY 2120-2216-2313-2411-2509-2603-2755  
 SUPERVISOR II  
 CORRECTIONS 2030-2119-2206-2303-2392-2486-2630  
 TRANSPORTATION OFFICER I  
 CORRECTIONS UTILITIES 2120-2216-2313-2411-2509-2603-2755  
 OPERATOR  
 CORRECTIONS VOCATIONAL 2120-2216-2313-2411-2509-2603-2755  
 INSTRUCTOR  
 EDUCATOR AIDE 1690-1765-1832-1901-1970-2040-2154  
 HOUSEKEEPER II 1375-1419-1462-1509-1556-1601-1681  
 PEST CONTROL OPERATOR 1690-1765-1832-1901-1970-2040-2154  
 PROPERTY & SUPPLY CLERK II 1463-1518-1565-1620-1671-1725-1813  
 STOREKEEPER I 1701-1765-1836-1900-1976-2040-2149  
 STOREKEEPER II 1846-1924-1999-2080-2158-2230-2357  
 STORES CLERK 1419-1463-1516-1562-1609-1660-1740  
 YOUTH SUPERVISOR I 1690-1765-1832-1901-1970-2040-2154  
 YOUTH SUPERVISOR II 1850-1928-2007-2089-2168-2250-2374  
 YOUTH SUPERVISOR III 2120-2216-2313-2411-2509-2603-2755  
 YOUTH SUPERVISOR TRAINEE 1581-1640-1704-1765-1831-1894-1992

Effective: July 1, 1993

## S T E P S

1 2 3 4 5 6 7

CANINE SPECIALIST 2373-2486-2602-2711-2821-2936-3111  
 COMMISSARY CLERK 1444-1490-1535-1584-1634-1681-1765  
 COMMISSARY MANAGER I 1490-1536-1592-1640-1680-1743-1827  
 CORRECTIONAL OFFICER 1943-2024-2107-2193-2276-2363-2493  
 CORRECTIONAL OFFICER 1660-1722-1789-1853-1923-1989-2092  
 TRAINEE

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

CORRECTIONAL SERGEANT 2132-2225-2316-2418-2512-2610-2762  
 CORRECTIONS AGRICULTURAL 2226-2327-2429-2532-2634-2733-2893  
 LEAD WORKER  
 SUPERVISOR  
 CORRECTIONS CLERK I 1943-2024-2107-2193-2276-2363-2493  
 CORRECTIONS CLERK II 2132-2225-2316-2418-2512-2610-2762  
 CORRECTIONS COOK I 1650-1709-1770-1838-1902-1966-2072  
 CORRECTIONS COOK II 1775-1853-1924-1996-2069-2142-2262  
 CORRECTIONS FOOD SERVICE 2132-2225-2316-2418-2512-2610-2762  
 SUPERVISOR I  
 CORRECTIONS FOOD SERVICE 2336-2444-2556-2667-2778-2891-3060  
 SUPERVISOR II  
 CORRECTIONS GROUNDS 2226-2327-2429-2532-2634-2733-2893  
 SUPERVISOR  
 CORRECTIONS IDENTIFICATION 2030-2114-2208-2296-2385-2476-2618  
 TECHNICIAN  
 CORRECTIONS INDUSTRY LEAD 2226-2327-2429-2532-2634-2733-2893  
 WORKER  
 CORRECTIONS LAUNDRY 2226-2327-2429-2532-2634-2733-2893  
 MANAGER I  
 CORRECTIONS LOCKSMITH 2226-2327-2429-2532-2634-2733-2893  
 CORRECTIONS MAINTENANCE 2226-2327-2429-2532-2634-2733-2893  
 CRAFTSMAN  
 CORRECTIONS MAINTENANCE 2030-2114-2208-2296-2385-2476-2618  
 WORKER  
 CORRECTIONS MEDICAL 2030-2114-2208-2296-2385-2476-2618  
 TECHNICIAN  
 CORRECTIONS PRINTER 2132-2225-2316-2418-2512-2610-2762  
 CORRECTIONS RESIDENCE 2030-2114-2208-2296-2385-2476-2618  
 COUNSELOR I  
 CORRECTIONS SUPPLY 2030-2114-2208-2296-2385-2476-2618  
 SUPERVISOR I  
 CORRECTIONS SUPPLY 2226-2327-2429-2532-2634-2733-2893  
 SUPERVISOR II  
 CORRECTIONS 2132-2225-2316-2418-2512-2610-2762  
 TRANSPORTATION OFFICER I  
 CORRECTIONS UTILITIES 2226-2327-2429-2532-2634-2733-2893  
 OPERATOR  
 CORRECTIONS VOCATIONAL 2226-2327-2429-2532-2634-2733-2893  
 INSTRUCTOR

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

EDUCATOR-AIDE	1775-1853-1924-1996-2069-2142-2262
HOUSEKEEPER II	1444-1490-1535-1584-1634-1681-1765
PEST CONTROL OPERATOR	1775-1853-1924-1996-2069-2142-2262
PROPERTY & SUPPLY CLERK II	1536-1594-1643-1701-1755-1811-1904
STOREKEEPER I	1786-1853-1928-1995-2075-2142-2256
STOREKEEPER II	1938-2020-2099-2184-2266-2342-2475
STORES CLERK	1490-1536-1592-1640-1689-1743-1827
YOUTH SUPERVISOR I	1775-1853-1924-1996-2069-2142-2262
YOUTH SUPERVISOR II	1943-2024-2107-2193-2276-2363-2493
YOUTH SUPERVISOR III	2226-2327-2429-2532-2634-2733-2893
YOUTH SUPERVISOR TRAINEE	1660-1722-1789-1853-1923-1989-2092

Effective: July 1, 1994

	S T E P S							
	1a	1	2	3	4	5	6	7
Canine Specialist	2373	2444	2561	2680	2792	2906	3024	3204
Commissary Clerk	1444	1487	1535	1581	1632	1683	1731	1818
Commissary Manager I	1490	1535	1582	1640	1689	1740	1795	1882
Correctional Officer	1943	2001	2085	2170	2259	2344	2434	2568
Correctional Officer Trainee	1660	1710	1774	1843	1909	1981	2049	2155
Correctional Sergeant	2132	2196	2292	2385	2491	2587	2688	2845
Corrections Agricultural Supervisor	2453	2527	2648	2769	2884	2987	3130	3315
Corrections Agricultural Lead Worker	2226	2293	2397	2502	2608	2713	2815	2980
Corrections Clerk I	1943	2001	2085	2170	2259	2344	2434	2568
Corrections Clerk II	2132	2196	2292	2385	2491	2587	2688	2845
Corrections Cook I	1650	1700	1760	1823	1893	1959	2025	2134
Corrections Cook II	1775	1828	1909	1982	2056	2131	2206	2330
Corrections Food Service Supervisor I	2132	2196	2292	2385	2491	2587	2688	2845
Corrections Food Service	2336	2406	2517	2633	2747	2861	2978	3152
Supervisor II								
Corrections Grounds Supervisor	2226	2293	2397	2502	2608	2713	2815	2980
Corrections Identification Technician	2030	2091	2177	2274	2365	2457	2550	2697
Corrections Industry Lead Worker	2226	2293	2397	2502	2608	2713	2815	2980
Corrections Laundry Manager I	2226	2293	2397	2502	2608	2713	2815	2980
Corrections Locksmith	2226	2293	2397	2502	2608	2713	2815	2980
Corrections Maintenance Craftsman	2226	2293	2397	2502	2608	2713	2815	2980
Corrections Maintenance Worker	2030	2091	2177	2274	2365	2457	2550	2697
Corrections Medical Technician	2030	2091	2177	2274	2365	2457	2550	2697
Corrections Printer	2132	2196	2292	2385	2491	2587	2688	2845
Corrections Residence Counselor I	2030	2091	2177	2274	2365	2457	2550	2697
Corrections Supply Supervisor I	2132	2196	2292	2385	2491	2587	2688	2845

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

EDUCATOR-AIDE	1775-1853-1924-1996-2069-2142-2262
HOUSEKEEPER II	1444-1490-1535-1584-1634-1681-1765
PEST CONTROL OPERATOR	1775-1853-1924-1996-2069-2142-2262
PROPERTY & SUPPLY CLERK II	1536-1594-1643-1701-1755-1811-1904
STOREKEEPER I	1786-1853-1928-1995-2075-2142-2256
STOREKEEPER II	1938-2020-2099-2184-2266-2342-2475
STORES CLERK	1490-1536-1592-1640-1689-1743-1827
YOUTH SUPERVISOR I	1775-1853-1924-1996-2069-2142-2262
YOUTH SUPERVISOR II	1943-2024-2107-2193-2276-2363-2493
YOUTH SUPERVISOR III	2226-2327-2429-2532-2634-2733-2893
YOUTH SUPERVISOR TRAINEE	1660-1722-1789-1853-1923-1989-2092

Effective: July 1, 1994

	STEPS							
	1a	1	2	3	4	5	6	7
Canine Specialist	2373	2444	2561	2680	2792	2906	3024	3204
Commissary Clerk	1444	1487	1535	1581	1632	1683	1731	1818
Commissary Manager I	1490	1535	1582	1640	1689	1740	1795	1882
Correctional Officer	1943	2001	2085	2170	2259	2344	2434	2568
Correctional Officer Trainee	1660	1710	1774	1843	1909	1981	2049	2155
Correctional Sergeant	2132	2196	2292	2385	2491	2587	2688	2845
Corrections Agricultural Supervisor	2453	2527	2648	2769	2884	3010	3130	3315
Corrections Agricultural Lead Worker	2226	2293	2397	2502	2608	2713	2815	2980
Corrections Clerk I	1943	2001	2085	2170	2259	2344	2434	2568
Corrections Clerk II	2132	2196	2292	2385	2491	2587	2688	2845
Corrections Cook I	1650	1700	1760	1823	1893	1959	2025	2134
Corrections Cook II	1775	1828	1909	1982	2056	2131	2206	2330
Corrections Food Service Supervisor I	2132	2196	2292	2385	2491	2587	2688	2845
Corrections Food Service	2336	2406	2517	2633	2747	2861	2978	3152
Supervisor II								
Corrections Grounds Supervisor	2226	2293	2397	2502	2608	2713	2815	2980
Corrections Identification Technician	2030	2091	2177	2274	2365	2457	2550	2697
Corrections Industry Lead Worker	2226	2293	2397	2502	2608	2713	2815	2980
Corrections Laundry Manager I	2226	2293	2397	2502	2608	2713	2815	2980
Corrections Locksmith	2226	2293	2397	2502	2608	2713	2815	2980
Corrections Maintenance Craftsman	2226	2293	2397	2502	2608	2713	2815	2980
Corrections Maintenance Worker	2030	2091	2177	2274	2365	2457	2550	2697
Corrections Medical Technician	2030	2091	2177	2274	2365	2457	2550	2697
Corrections Printer	2132	2196	2292	2385	2491	2587	2688	2845
Corrections Residence Counselor I	2030	2091	2177	2274	2365	2457	2550	2697
Corrections Supply Supervisor I	2132	2196	2292	2385	2491	2587	2688	2845



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Corrections Supply Supervisor II	2336	2406	2517	2633	2747	2861	2978	3152
Corrections Transportation Officer I	2132	2196	2292	2385	2491	2587	2688	2845
Corrections Transportation Officer II	2373	2444	2561	2680	2792	2906	3024	3204
Corrections Utilities Operator	2226	2293	2397	2502	2608	2713	2815	2980
Corrections Vocational Instructor	2226	2293	2397	2502	2608	2713	2815	2980
Educator Aide	1775	1828	1909	1982	2056	2131	2206	2330
Housekeeper II	1444	1487	1535	1581	1632	1683	1731	1818
Pest Control Operator	1775	1828	1909	1982	2056	2131	2206	2330
Property and Supply Clerk II	1536	1582	1642	1692	1752	1808	1865	1961
Storekeeper I	1786	1840	1909	1986	2055	2137	2206	2324
Storekeeper II	1938	1996	2081	2162	2250	2334	2412	2549
Stores Clerk	1490	1535	1582	1640	1689	1740	1795	1882
Youth Supervisor I	1775	1828	1909	1982	2056	2131	2206	2330
Youth Supervisor II	1943	2001	2085	2170	2259	2344	2434	2568
Youth Supervisor III	2226	2293	2397	2502	2608	2713	2815	2980
Youth Supervisor Trainee	1660	1710	1774	1843	1909	1981	2049	2155

1/ Entry level step in first year of contract.

Effective: July 1, 1995

## S T E P S

lb/2/	1a	1	2	3	4	5	6	7
Canine Specialist	2373	2444	2517	2638	2760	2876	2993	3115
Commissary Clerk	1444	1487	1532	1581	1628	1681	1733	1783
Commissary Manager I	1490	1535	1581	1629	1689	1740	1792	1849
Correctional Officer	1943	2001	2061	2148	2235	2327	2414	2507
Correctional Officer Trainee	1660	1710	1761	1827	1898	1966	2040	2110
Correctional Sergeant	2132	2196	2262	2361	2457	2566	2665	2769
Corrections Agricultural Supervisor	2453	2527	2603	2727	2852	3100	3077	3224
Corrections Agricultural Lead Worker	2226	2293	2362	2469	2577	2686	2794	2899
Corrections Clerk I	1943	2001	2061	2148	2235	2327	2414	2507
Corrections Clerk II	2132	2196	2262	2361	2457	2566	2665	2769
Corrections Cook I	1650	1700	1751	1813	1878	1950	2018	2086
Corrections Cook II	1775	1828	1883	1966	2041	2118	2195	2272
Corrections Food Service Supervisor I	2132	2196	2262	2361	2457	2566	2665	2769
Corrections Food Service	2336	2406	2478	2593	2712	2829	2947	3067
Supervisor II								
Corrections Grounds Supervisor	2226	2293	2362	2469	2577	2686	2794	2899
Corrections Identification Technician	2030	2091	2154	2242	2342	2436	2531	2627
Corrections Industry Lead Worker	2226	2293	2362	2469	2577	2686	2794	2899

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Corrections Laundry Manager I	2226	2293	2362	2469	2577	2686	2794	2899
Corrections Locksmith	2226	2293	2362	2469	2577	2686	2794	2899
Corrections Maintenance Craftsman	2226	2293	2362	2469	2577	2686	2794	2899
Corrections Maintenance Worker	2030	2091	2154	2242	2342	2436	2531	2627
Corrections Medical Technician	2030	2091	2154	2242	2342	2436	2531	2627
Corrections Printer	2132	2196	2262	2361	2457	2566	2665	2769
Corrections Residence Counselor I	2030	2091	2154	2242	2342	2436	2531	2627
Corrections Supply Supervisor I	2132	2196	2262	2361	2457	2566	2665	2769
Corrections Supply Supervisor II	2336	2406	2478	2593	2712	2829	2947	3067
Corrections Transportation Officer I	2132	2196	2262	2361	2457	2566	2665	2769
Corrections Transportation Officer II	2373	2444	2517	2638	2760	2876	2993	3115
Corrections Utilities Operator	2226	2293	2362	2469	2577	2686	2794	2899
Corrections Vocational Instructor	2226	2293	2362	2469	2577	2686	2794	2899
Educator Aide	1775	1828	1883	1966	2041	2118	2195	2272
Housekeeper II	1444	1487	1532	1581	1628	1681	1733	1783
Pest Control Operator	1775	1828	1883	1966	2041	2118	2195	2272
Property and Supply Clerk II	1536	1582	1629	1691	1743	1805	1862	1921
Storekeeper I	1786	1840	1895	1966	2046	2117	2201	2272
Storekeeper II	1938	1996	2056	2143	2227	2318	2404	2484
Stores Clerk	1490	1535	1581	1629	1689	1740	1792	1849
Youth Supervisor I	1775	1828	1883	1966	2041	2118	2195	2272
Youth Supervisor II	1943	2001	2061	2148	2235	2327	2414	2507
Youth Supervisor III	2226	2293	2362	2469	2577	2686	2794	2899
Youth Supervisor Trainee	1660	1710	1761	1827	1898	1966	2040	2110

2/ Entry level step in second year of contract.

Effective: July 1, 1996

## S T E P S

	1c/3/	1b	1a	1	2	3	4	5	6	7
Canine Specialist	2373	2444	2517	2593	2717	2843	2962	3083	3208	3399
Commissary Clerk	1444	1487	1532	1578	1628	1677	1731	1785	1836	1929
Commissary Manager I	1490	1535	1581	1628	1678	1740	1792	1846	1904	1996
Correctional Officer	1943	2001	2061	2123	2212	2302	2397	2486	2582	2724
Correctional Officer Trainee	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Correctional Sergeant	2132	2196	2262	2330	2432	2531	2643	2745	2852	3018
Corrections Agricultural	2453	2527	2603	2681	2809	2938	3060	3193	3321	3516
Supervisor										
Corrections Agricultural Lead	2226	2293	2362	2433	2543	2654	2767	2878	2986	3161
Worker										
Corrections Clerk I	1943	2001	2061	2123	2212	2302	2397	2486	2582	2724



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Corrections Clerk II	2132	2196	2262	2330	2432	2531	2643	2745	2852	3018
Corrections Cook I	1650	1700	1751	1804	1867	1934	2009	2079	2149	2264
Corrections Cook II	1775	1828	1883	1939	2025	2102	2182	2261	2340	2472
Corrections Food Service	2132	2196	2262	2330	2432	2531	2643	2745	2852	3018
Supervisor I										
Corrections Food Service	2336	2406	2478	2552	2671	2793	2914	3035	3159	3344
Supervisor II										
Corrections Grounds	2226	2293	2362	2433	2543	2654	2767	2878	2986	3161
Supervisor										
Corrections Identification	2030	2091	2154	2219	2309	2412	2509	2607	2706	2861
Technician										
Corrections Industry Lead	2226	2293	2362	2433	2543	2654	2767	2878	2986	3161
Worker										
Corrections Laundry Manager I	2226	2293	2362	2433	2543	2654	2767	2878	2986	3161
Corrections Locksmith	2226	2293	2362	2433	2543	2654	2767	2878	2986	3161
Corrections Maintenance	2226	2293	2362	2433	2543	2654	2767	2878	2986	3161
Craftsman										
Corrections Maintenance	2030	2091	2154	2219	2309	2412	2509	2607	2706	2861
Worker										
Corrections Medical Technician	2030	2091	2154	2219	2309	2412	2509	2607	2706	2861
Corrections Printer	2132	2196	2262	2330	2432	2531	2643	2745	2852	3018
Corrections Residence	2030	2091	2154	2219	2309	2412	2509	2607	2706	2861
Counselor I										
Corrections Supply	2132	2196	2262	2330	2432	2531	2643	2745	2852	3018
Supervisor I										
Corrections Supply	2336	2406	2478	2552	2671	2793	2914	3035	3159	3344
Supervisor II										
Corrections Transportation	2132	2196	2262	2330	2432	2531	2643	2745	2852	3018
Officer I										
Corrections Transportation	2373	2444	2517	2593	2717	2843	2962	3083	3208	3399
Officer II										
Corrections Utilities Operator	2226	2293	2362	2433	2543	2654	2767	2878	2986	3161
Corrections Vocational	2226	2293	2362	2433	2543	2654	2767	2878	2986	3161
Instructor										
Educator Aide	1775	1828	1883	1939	2025	2102	2182	2261	2340	2472
Housekeeper II	1444	1487	1532	1578	1628	1677	1731	1785	1836	1929
Pest Control Operator	1775	1828	1883	1939	2025	2102	2182	2261	2340	2472
Property and Supply Clerk II	1536	1582	1629	1678	1742	1797	1859	1918	1979	2081
Storekeeper I	1786	1840	1895	1952	2025	2102	2181	2267	2340	2466
Storekeeper II	1938	1996	2056	2118	2207	2294	2388	2476	2559	2704
Stores Clerk	1490	1535	1581	1628	1678	1740	1792	1846	1904	1996
Youth Supervisor I	1775	1828	1883	1939	2025	2102	2182	2261	2340	2472

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Youth Supervisor II	1943	2001	2061	2123	2212	2302	2397	2486	2582	2724
Youth Supervisor III	2226	2293	2362	2433	2543	2654	2767	2878	2986	3161
Youth Supervisor Trainee	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287

3/ Entry level step in third year of contract.

(Source: Peremptory amendment at 18 Ill. Reg. \_\_\_\_\_, effective JUN 13 1994)

Section 310. Appendix A Negotiated Rates of Pay  
TABLE I RC-009 (Institutional Employees, AFSCME)

Effective: July 1, 1991

	STEPS						
	1	2	3	4	5	6	7
ACTIVITY PROGRAM AIDE I	1287	1337	1389	1443	1500	1557	1633
ACTIVITY PROGRAM AIDE II	1327	1378	1431	1486	1543	1603	1681
APPAREL/DRY GOODS SPEC I	1315	1357	1398	1443	1488	1532	1608
APPAREL/DRY GOODS SPEC II	1399	1452	1497	1549	1598	1650	1734
APPAREL/DRY GOODS SPEC III	1617	1688	1752	1819	1884	1951	2060
ATTENDANT	1287	1337	1389	1443	1500	1557	1633
CHILDREN'S SHELTER CARE ASSOC	1573	1633	1698	1762	1830	1900	2005
CLINICAL LABORATORY ASSOCIATE	1408	1457	1507	1559	1610	1663	1752
CLINICAL LABORATORY PHLEBOTOMIST	1362	1408	1454	1502	1550	1600	1682
CLINICAL LABORATORY TECHNICIAN I	1571	1638	1698	1763	1825	1891	1995
CLINICAL LABORATORY TECHNICIAN II	1717	1789	1858	1934	2005	2080	2197
COMMISSARY CLERK	1274	1315	1357	1397	1436	1481	1557
COMMISSARY MANAGER I	1315	1357	1398	1443	1488	1532	1608
COMMISSARY MANAGER II	1452	1502	1553	1609	1661	1717	1811
COOK I	1357	1399	1450	1494	1539	1587	1664
COOK II	1452	1502	1553	1609	1661	1717	1811
EDUCATOR AIDE	1573	1633	1698	1762	1830	1900	2005
FLORIST II	1617	1688	1752	1819	1884	1951	2060
INSTITUTIONAL MAINTENANCE WKR	1427	1481	1527	1580	1630	1682	1769
LABORATORY ASSISTANT	1274	1318	1360	1399	1445	1486	1562

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

LABORATORY ASSOCIATE I	1571	1638	1698	1763	1825	1891	1995
LABORATORY ASSOCIATE II	1717	1789	1858	1934	2005	2080	2197
LICENSED PRACTICAL NURSE I	1516	1575	1635	1698	1764	1832	1925
LICENSED PRACTICAL NURSE II	1590	1652	1717	1783	1852	1923	2020
LOCKSMITH	1791	1867	1947	2025	2103	2183	2307
MENTAL HEALTH TECHNICIAN I	1327	1378	1431	1486	1543	1603	1681
MENTAL HEALTH TECHNICIAN II	1414	1469	1525	1583	1645	1709	1792
MENTAL HEALTH TECHNICIAN III	1465	1522	1580	1641	1704	1770	1858
MENTAL HEALTH TECHNICIAN IV	1516	1575	1635	1698	1764	1832	1925
MENTAL HEALTH TECHNICIAN V	1573	1633	1698	1762	1830	1900	2005
MENTAL HEALTH TECHNICIAN VI	1590	1652	1717	1783	1852	1923	2020
MENTAL HEALTH TECHNICIAN	1239	1274	1318	1357	1395	1436	1509
TRN I							
MENTAL HEALTH TECHNICIAN	1457	1512	1566	1625	1678	1735	1827
TRN II							
MUSICIAN	1465	1522	1580	1641	1704	1770	1858
NURSING ASSISTANT	1414	1469	1525	1583	1645	1709	1792
PEST CONTROL OPERATOR	1557	1615	1680	1740	1809	1867	1967
PHYSICAL THERAPY AIDE I	1287	1337	1389	1443	1500	1557	1633
PHYSICAL THERAPY AIDE II	1414	1469	1525	1583	1645	1709	1792
PHYSICAL THERAPY AIDE III	1573	1633	1698	1762	1830	1900	2005
REHAB WORKSHOP INSTRUCTOR I	1465	1522	1580	1641	1704	1770	1858
REHAB WORKSHOP INSTRUCTOR II	1633	1704	1769	1837	1903	1974	2100
RESIDENTIAL CARE WORKER	1573	1633	1698	1762	1830	1900	2005
RESIDENTIAL CARE WORKER	1457	1512	1566	1625	1678	1735	1827
TRN							
SECURITY THERAPY AIDE I	1770	1844	1920	1998	2073	2152	2270
SECURITY THERAPY AIDE II	1941	2026	2110	2203	2288	2378	2515
SECURITY THERAPY AIDE III	2027	2120	2213	2306	2400	2490	2635
SECURITY THERAPY AIDE	1512	1569	1630	1688	1751	1812	1905
TRN							
SOCIAL SERVICE AIDE I	1465	1522	1580	1641	1704	1770	1858
SOCIAL SERVICE AIDE II	1573	1633	1698	1762	1830	1900	2005
SOCIAL SERVICE AIDE TRAINEE	1274	1318	1360	1399	1445	1486	1562

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

SUPPORT SERVICES SUPERVISOR I	1502	1557	1613	1674	1732	1790	1887
SUPPORT SERVICES SUPERVISOR II	1617	1688	1752	1819	1884	1951	2060
SUPPORT SERVICES WORKER II	1274	1315	1357	1397	1436	1481	1557
SUPPORT SERVICES WORKER III	1357	1399	1450	1494	1539	1587	1664
TRANSPORTATION COORDINATOR	1849	1926	2012	2092	2172	2256	2384
TRANSPORTATION OFFICER I	1941	2026	2110	2203	2288	2378	2515
VETERANS NURSING ASSISTANT - CERTIFIED	1465	1522	1580	1641	1704	1770	1858

NOTE: Effective January 1, 1992, employees who have 15 years of service and have 3 or more years of creditable service on Step 7 in the same pay grade shall receive an additional \$25.00 monthly.

Effective July 1, 1992

	S T E P S						
	1	2	3	4	5	6	7
ACTIVITY PROGRAM AIDE I	1319	1370	1424	1479	1538	1596	1674
ACTIVITY PROGRAM AIDE II	1360	1412	1467	1523	1582	1643	1723
APPAREL/DRY GOODS SPEC I	1348	1391	1433	1479	1525	1570	1648
APPAREL/DRY GOODS SPEC II	1434	1488	1534	1588	1638	1691	1777
APPAREL/DRY GOODS SPEC III	1657	1730	1796	1864	1931	2000	2112
ATTENDANT	1319	1370	1424	1479	1538	1596	1674
CHILDREN'S SHELTER CARE ASSOC	1612	1674	1740	1806	1876	1948	2055
CLINICAL LABORATORY ASSOCIATE	1443	1493	1545	1598	1650	1705	1796
CLINICAL LABORATORY PHLEBOTOMIST	1396	1443	1490	1540	1589	1640	1724
CLINICAL LABORATORY TECHNICIAN I	1610	1679	1740	1807	1871	1938	2045
CLINICAL LABORATORY TECHNICIAN II	1760	1834	1904	1982	2055	2132	2252
COMMISSARY CLERK	1306	1348	1391	1432	1472	1518	1596
COMMISSARY MANAGER I	1348	1391	1433	1479	1525	1570	1648
COMMISSARY MANAGER II	1488	1540	1592	1649	1703	1760	1856
COOK I	1391	1434	1486	1531	1577	1627	1706
COOK II	1488	1540	1592	1649	1703	1760	1856
EDUCATOR AIDE	1657	1730	1796	1864	1931	2000	2112



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

FLORIST II	1657	1730	1796	1864	1931	2000	2112
INSTITUTIONAL MAINTENANCE	1463	1518	1565	1620	1671	1724	1813
WKR							
LABORATORY ASSISTANT	1306	1351	1394	1434	1481	1523	1601
LABORATORY ASSOCIATE I	1610	1679	1740	1807	1871	1938	2045
LABORATORY ASSOCIATE II	1760	1834	1904	1982	2055	2132	2252
LICENSED PRACTICAL NURSE I	1534	1614	1676	1740	1808	1878	1973
LICENSED PRACTICAL NURSE II	1630	1693	1760	1828	1898	1971	2071
LOCKSMITH	1836	1914	1996	2076	2156	2238	2365
MENTAL HEALTH TECHNICIAN I	1360	1412	1467	1523	1582	1643	1723
MENTAL HEALTH TECHNICIAN II	1449	1506	1563	1623	1686	1752	1837
MENTAL HEALTH TECHNICIAN III	1502	1560	1620	1682	1747	1814	1904
MENTAL HEALTH TECHNICIAN IV	1534	1614	1676	1740	1808	1878	1973
MENTAL HEALTH TECHNICIAN V	1612	1674	1740	1806	1876	1948	2055
MENTAL HEALTH TECHNICIAN VI	1630	1693	1760	1828	1898	1971	2071
MENTAL HEALTH TECHNICIAN	1270	1306	1351	1391	1430	1472	1547
TRN I							
MENTAL HEALTH TECHNICIAN	1493	1550	1605	1666	1720	1778	1873
TRN II							
MUSICIAN	1502	1560	1620	1682	1747	1814	1904
NURSING ASSISTANT	1449	1506	1563	1623	1686	1752	1837
PEST CONTROL OPERATOR	1596	1655	1722	1784	1854	1914	2016
PHYSICAL THERAPY AIDE I	1319	1370	1424	1479	1538	1596	1674
PHYSICAL THERAPY AIDE II	1449	1506	1563	1623	1686	1752	1837
PHYSICAL THERAPY AIDE III	1612	1674	1740	1806	1876	1948	2055
REHAB WORKSHOP INSTRUCTOR I	1502	1560	1620	1682	1747	1814	1904
REHAB WORKSHOP INSTRUCTOR II	1674	1747	1813	1883	1951	2023	2153
RESIDENTIAL CARE WORKER	1612	1674	1740	1806	1876	1948	2055
RESIDENTIAL CARE WORKER	1493	1550	1605	1666	1720	1778	1873
TRN							
SECURITY THERAPY AIDE I	1814	1890	1968	2048	2125	2206	2327
SECURITY THERAPY AIDE II	1990	2077	2163	2258	2345	2437	2578
SECURITY THERAPY AIDE III	2078	2173	2268	2364	2460	2552	2701
SECURITY THERAPY AIDE	1550	1608	1671	1730	1795	1857	1953
TRAINEE							

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

SOCIAL SERVICE AIDE I	1502	1560	1620	1682	1747	1814	1904
SOCIAL SERVICE AIDE II	1612	1674	1740	1806	1876	1948	2055
SOCIAL SERVICE AIDE	1306	1351	1394	1434	1481	1523	1601
TRAINEE							
SUPPORT SERVICES	1540	1596	1653	1716	1775	1835	1934
SUPERVISOR I							
SUPPORT SERVICES	1657	1730	1796	1864	1931	2000	2112
SUPERVISOR II							
SUPPORT SERVICES WORKER II	1348	1391	1433	1479	1525	1570	1648
SUPPORT SERVICES WORKER III	1434	1488	1534	1588	1638	1691	1777
TRANSPORTATION	1895	1974	2062	2144	2226	2312	2444
COORDINATOR							
TRANSPORTATION OFFICER I	1900	2077	2163	2258	2345	2437	2578
VETERANS NURSING ASSISTANT	1502	1560	1620	1682	1747	1814	1904
-CERTIFIED							

Effective: January 1, 1993

## S T E P S

	1	2	3	4	5	6	7
ACTIVITY PROGRAM AIDE I	1345	1397	1452	1509	1569	1628	1707
ACTIVITY PROGRAM AIDE II	1387	1440	1496	1553	1614	1676	1757
APPAREL/DRY GOODS SPEC I	1375	1419	1462	1509	1556	1601	1681
APPAREL/DRY GOODS SPEC II	1463	1518	1565	1620	1671	1725	1813
APPAREL/DRY GOODS SPEC III	1690	1765	1832	1901	1970	2040	2154
ATTENDANT	1345	1397	1452	1509	1569	1628	1707
CHILDREN'S SHELTER CARE ASSOC	1644	1707	1775	1842	1914	1987	2096
CLINICAL LABORATORY	1472	1523	1576	1630	1683	1739	1832
ASSOCIATE							
CLINICAL LABORATORY	1424	1472	1520	1571	1621	1673	1758
PHLEBOTOMIST							
CLINICAL LABORATORY	1642	1713	1775	1843	1908	1977	2086
TECHNICIAN I							
CLINICAL LABORATORY	1795	1871	1942	2022	2096	2175	2297
TECHNICIAN II							
COMMISSARY CLERK	1332	1375	1419	1461	1501	1548	1628
COMMISSARY MANAGER I	1375	1419	1462	1509	1556	1601	1681
COMMISSARY MANAGER II	1518	1571	1624	1682	1737	1795	1893
COOK I	1419	1463	1516	1562	1609	1660	1740
COOK II	1518	1571	1624	1682	1737	1795	1893



DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

EDUCATOR-AIDE	1690-1765-1832-1901-1970-2040-2154
FLORIST-II	1690-1765-1832-1901-1970-2040-2154
INSTITUTIONAL-MAINTENANCE	1492-1548-1596-1652-1704-1758-1849
WKR	
LABORATORY-ASSISTANT	1332-1378-1422-1463-1511-1553-1633
LABORATORY-ASSOCIATE-I	1642-1713-1775-1843-1908-1977-2086
LABORATORY-ASSOCIATE-II	1795-1871-1942-2022-2096-2175-2297
LICENSED-PRACTICAL-NURSE-I	1585-1646-1710-1775-1844-1916-2042
LICENSED-PRACTICAL-NURSE-II	1663-1727-1795-1865-1936-2010-2142
LOCKSMITH	1873-1952-2036-2118-2199-2283-2442
MENTAL-HEALTH-TECHNICIAN-I	1387-1440-1496-1553-1614-1676-1757
MENTAL-HEALTH-TECHNICIAN-II	1478-1536-1594-1655-1720-1787-1874
MENTAL-HEALTH-TECHNICIAN-III	1532-1591-1652-1716-1782-1850-1942
MENTAL-HEALTH-TECHNICIAN-IV	1585-1646-1710-1775-1844-1916-2012
MENTAL-HEALTH-TECHNICIAN-V	1644-1707-1775-1842-1914-1987-2096
MENTAL-HEALTH-TECHNICIAN-VI	1663-1727-1795-1865-1936-2010-2142
MENTAL-HEALTH-TECHNICIAN-TRN-I	1295-1332-1378-1419-1459-1501-1578
MENTAL-HEALTH-TECHNICIAN-TRN-II	1523-1581-1637-1699-1754-1814-1910
MUSICIAN	1532-1591-1652-1716-1782-1850-1942
NURSING-ASSISTANT	1478-1536-1594-1655-1720-1787-1874
PEST-CONTROL-OPERATOR	1628-1688-1756-1820-1891-1952-2056
PHYSICAL-THERAPY-AIDE-I	1345-1397-1452-1509-1569-1628-1707
PHYSICAL-THERAPY-AIDE-II	1478-1536-1594-1655-1720-1787-1874
PHYSICAL-THERAPY-AIDE-III	1644-1707-1775-1842-1914-1987-2096
REHAB-WORKSHOP-INSTRUCTOR-I	1532-1591-1652-1716-1782-1850-1942
REHAB-WORKSHOP-INSTRUCTOR-II	1707-1782-1849-1921-1990-2063-2196
RESIDENTIAL-CARE-WORKER	1641-1707-1775-1842-1914-1987-2096
RESIDENTIAL-CARE-WORKER-TRN	1523-1581-1637-1699-1754-1814-1910
SECURITY-THERAPY-AIDE-I	1850-1928-2007-2089-2168-2250-2374
SECURITY-THERAPY-AIDE-II	2030-2119-2206-2303-2392-2486-2630
SECURITY-THERAPY-AIDE-III	2120-2216-2313-2411-2509-2603-2755

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

SECURITY-THERAPY-AIDE-TRAINEE	1581-1640-1704-1765-1831-1894-1992
SOCIAL-SERVICE-AIDE-I	1532-1591-1652-1716-1782-1850-1942
SOCIAL-SERVICE-AIDE-II	1644-1707-1775-1842-1914-1987-2096
SOCIAL-SERVICE-AIDE-TRAINEE	1332-1378-1422-1463-1511-1553-1633
SUPPORT-SERVICES	1571-1628-1686-1750-1811-1872-1973
SUPERVISOR-I	
SUPPORT-SERVICES	1690-1765-1832-1901-1970-2040-2154
SUPERVISOR-II	
SUPPORT-SERVICES-WORKER-II	1375-1419-1462-1509-1556-1601-1681
SUPPORT-SERVICES-WORKER-III	1463-1518-1565-1620-1671-1725-1813
TRANSPORTATION	1933-2013-2103-2187-2271-2358-2493
COORDINATOR	
TRANSPORTATION-OFFICER-I	2030-2119-2206-2303-2392-2486-2630
VETERANS-NURSING-ASSISTANT	1532-1591-1652-1716-1782-1850-1942
-CERTIFIED	

Effective: July 1, 1993

	S T E P S						
	1	2	3	4	5	6	7
ACTIVITY-PROGRAM-AIDE-I	1412	1467	1525	1584	1647	1709	1792
ACTIVITY-PROGRAM-AIDE-II	1456	1512	1571	1631	1695	1760	1845
APPAREL/DRY-GOODS-SPEC-I	1444	1490	1535	1584	1634	1681	1765
APPAREL/DRY-GOODS-SPEC-II	1536	1594	1643	1701	1755	1811	1904
APPAREL/DRY-GOODS-SPEC-III	1773	1853	1924	1996	2069	2142	2262
ATTENDANT	1412	1467	1525	1584	1647	1709	1792
CHILDREN'S-SHELTER-CARE-ASSOC	1726	1792	1864	1934	2010	2086	2204
CLINICAL-LABORATORY-ASSOCIATE	1546	1599	1655	1712	1767	1826	1924
CLINICAL-LABORATORY-PHLEBOTOMIST	1495	1546	1596	1650	1702	1757	1846
CLINICAL-LABORATORY-TECHNICIAN-I	1721	1799	1864	1935	2003	2076	2190
CLINICAL-LABORATORY-TECHNICIAN-II	1885	1965	2039	2123	2201	2284	2412
COMMISSARY-CLERK	1390	1444	1490	1534	1576	1625	1709
COMMISSARY-MANAGER-I	1441	1490	1535	1584	1634	1681	1765
COMMISSARY-MANAGER-II	1594	1650	1705	1766	1824	1885	1988
COOK-I	1400	1536	1592	1640	1689	1743	1827
COOK-II	1591	1650	1705	1766	1824	1885	1988

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

EDUCATOR-AIDE	1775-1853-1924-1996-2069-2142-2262
FLORIST II	1775-1853-1924-1996-2069-2142-2262
INSTITUTIONAL MAINTENANCE	1567-1625-1676-1735-1789-1846-1941
WKR	
LABORATORY ASSISTANT	1399-1447-1493-1536-1587-1631-1715
LABORATORY ASSOCIATE I	1724-1799-1864-1935-2003-2076-2190
LABORATORY ASSOCIATE II	1885-1965-2039-2123-2201-2284-2412
LICENSED PRACTICAL NURSE I	1664-1728-1796-1864-1936-2012-2113
LICENSED PRACTICAL NURSE II	1746-1813-1885-1958-2033-2111-2218
LOCKSMITH	1967-2050-2138-2224-2309-2397-2533
MENTAL HEALTH TECHNICIAN I	1456-1512-1571-1631-1695-1760-1845
MENTAL HEALTH TECHNICIAN II	1532-1613-1674-1738-1806-1876-1968
MENTAL HEALTH TECHNICIAN III	1609-1671-1735-1802-1871-1943-2039
MENTAL HEALTH TECHNICIAN IV	1664-1728-1796-1864-1936-2012-2113
MENTAL HEALTH TECHNICIAN V	1726-1792-1864-1934-2010-2086-2201
MENTAL HEALTH TECHNICIAN VI	1746-1813-1885-1958-2033-2111-2218
MENTAL HEALTH TECHNICIAN	1360-1399-1447-1490-1532-1576-1657
TRN I	
MENTAL HEALTH TECHNICIAN	1599-1660-1719-1784-1842-1905-2006
TRN II	
MUSICIAN	1609-1671-1735-1802-1871-1943-2039
NURSING ASSISTANT	1532-1613-1674-1738-1806-1876-1968
PEST CONTROL OPERATOR	1709-1772-1844-1911-1986-2050-2159
PHYSICAL THERAPY-AIDE I	1412-1467-1525-1584-1647-1709-1792
PHYSICAL THERAPY-AIDE II	1532-1613-1674-1738-1806-1876-1968
PHYSICAL THERAPY-AIDE III	1726-1792-1864-1934-2010-2086-2201
REHAB WORKSHOP	1609-1671-1735-1802-1871-1943-2039
INSTRUCTOR I	
REHAB WORKSHOP	1792-1871-1941-2017-2090-2166-2306
INSTRUCTOR II	
RESIDENTIAL CARE WORKER	1726-1792-1864-1934-2010-2086-2201
RESIDENTIAL CARE WORKER	1599-1660-1719-1784-1842-1905-2006
TRN	
SECURITY THERAPY-AIDE I	1943-2024-2107-2193-2276-2363-2493
SECURITY THERAPY-AIDE II	2132-2225-2316-2418-2512-2610-2762
SECURITY THERAPY-AIDE III	2226-2327-2429-2532-2634-2733-2893

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

SECURITY THERAPY-AIDE	1660-1722-1789-1853-1923-1989-2092
TRAINEE	
SOCIAL SERVICE-AIDE I	1609-1671-1735-1802-1871-1943-2039
SOCIAL SERVICE-AIDE II	1726-1792-1864-1934-2010-2086-2201
SOCIAL SERVICE-AIDE-TRAINEE	1399-1447-1493-1536-1587-1631-1715
SUPPORT SERVICES	1650-1709-1770-1838-1902-1966-2072
SUPERVISOR I	
SUPPORT SERVICES	1775-1853-1924-1996-2069-2142-2262
SUPERVISOR II	
SUPPORT SERVICES WORKER II	1444-1490-1535-1584-1634-1681-1765
SUPPORT SERVICES WORKER III	1536-1594-1643-1701-1755-1811-1904
TRANSPORTATION	2030-2114-2208-2296-2385-2476-2618
COORDINATOR	
TRANSPORTATION OFFICER I	2132-2225-2316-2418-2512-2610-2762
VETERANS NURSING ASSISTANT	1609-1671-1735-1802-1871-1943-2039
-CERTIFIED	

Effective: July 1, 1994

	S T E P S						
	1a	1	2	3	4	5	6
Activity Program Aide I	1412	1454	1511	1571	1632	1696	1760
Activity Program Aide II	1456	1500	1557	1618	1680	1746	1813
Apparel/Dry Goods Specialist I	1456	1500	1557	1618	1680	1746	1813
Apparel/Dry Goods Specialist II	1552	1599	1661	1724	1790	1860	1932
Apparel/Dry Goods Specialist III	1775	1828	1909	1982	2056	2131	2206
Attendant	1412	1454	1511	1571	1632	1696	1760
Children's Shelter Care Associate	1726	1778	1846	1920	1992	2070	2149
Clinical Laboratory Associate	1546	1592	1647	1705	1763	1820	1881
Clinical Laboratory Phlebotomist	1495	1540	1592	1644	1700	1753	1810
Clinical Laboratory Technician I	1724	1776	1853	1920	1993	2063	2138
Clinical Laboratory Technician II	1885	1942	2024	2100	2187	2267	2353
Commissary Clerk	1444	1487	1535	1581	1632	1683	1731
Commissary Manager I	1490	1535	1582	1640	1689	1740	1795
Commissary Manager II	1609	1657	1721	1787	1856	1927	2001
Cook I	1490	1535	1582	1640	1689	1740	1795
Cook II	1594	1642	1700	1756	1819	1879	1942
Educator Aide	1775	1828	1909	1982	2056	2131	2206
Florist II	1775	1828	1909	1982	2056	2131	2206
Institutional Maintenance Worker	1594	1642	1700	1756	1819	1879	1942
Laboratory Assistant	1399	1441	1490	1538	1582	1635	1680
Laboratory Associate I	1724	1776	1853	1920	1993	2063	2138



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Laboratory Associate II	1885	1942	2024	2100	2187	2267	2353	2484
Licensed Practical Nurse I	1664	1714	1780	1850	1920	1994	2072	2176
Licensed Practical Nurse II	1746	1798	1867	1942	2017	2094	2174	2285
Locksmith	1967	2026	2112	2202	2291	2378	2469	2609
Mental Health Technician I	1456	1500	1557	1618	1680	1746	1813	1900
Mental Health Technician II	1552	1599	1661	1724	1790	1860	1932	2027
Mental Health Technician III	1609	1657	1721	1787	1856	1927	2001	2100
Mental Health Technician IV	1664	1714	1780	1850	1920	1994	2072	2176
Mental Health Technician V	1726	1778	1846	1920	1992	2070	2149	2267
Mental Health Technician VI	1746	1798	1867	1942	2017	2094	2174	2285
Mental Health Technician Trainee I	1360	1401	1441	1490	1535	1578	1623	1707
Musician	1609	1657	1721	1787	1856	1927	2001	2100
Pest Control Operator	1709	1760	1825	1899	1968	2046	2112	2224
Physical Therapy Aide I	1412	1454	1511	1571	1632	1696	1760	1846
Physical Therapy Aide II	1552	1599	1661	1724	1790	1860	1932	2027
Physical Therapy Aide III	1726	1778	1846	1920	1992	2070	2149	2267
Rehabilitation Workshop Instructor I	1609	1657	1721	1787	1856	1927	2001	2100
Rehabilitation Workshop Instructor II	1792	1846	1927	1999	2078	2153	2231	2375
Residential Care Worker	1726	1778	1846	1920	1992	2070	2149	2267
Residential Care Worker Trainee	1599	1647	1710	1771	1838	1897	1962	2066
Security Therapy Aide I	1943	2001	2085	2170	2259	2344	2434	2568
Security Therapy Aide II	2132	2196	2292	2385	2491	2587	2688	2845
Security Therapy Aide III	2226	2293	2397	2502	2608	2713	2815	2980
Security Therapy Aide Trainee	1660	1710	1774	1843	1909	1981	2049	2155
Social Service Aide I	1609	1657	1721	1787	1856	1927	2001	2100
Social Service Aide II	1726	1778	1846	1920	1992	2070	2149	2267
Social Service Aide Trainee	1399	1441	1490	1538	1582	1635	1680	1766
Support Service Supervisor I	1650	1700	1760	1823	1893	1959	2025	2134
Support Service Supervisor II	1775	1828	1909	1982	2056	2131	2206	2330
Support Service Worker I	1444	1487	1535	1581	1632	1683	1731	1818
Support Service Worker III	1536	1582	1642	1692	1752	1808	1865	1961
Transportation Coordinator	2030	2091	2177	2274	2365	2457	2550	2697
Transportation Officer I	2132	2196	2292	2385	2491	2587	2688	2845
Veterans Nursing Assistant - Certified	1609	1657	1721	1787	1856	1927	2001	2100

I/ Entry level step in first year of contract

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

	S T E P S								
	1b/2	1a	1	2	3	4	5	6	7
Activity Program Aide I	1412	1454	1498	1556	1618	1681	1747	1813	1901
Activity Program Aide II	1456	1500	1545	1604	1667	1730	1798	1867	1957
Apparel/Drv Goods Specialist I	1456	1500	1545	1604	1667	1730	1798	1867	1957
Apparel/Drv Goods Specialist II	1552	1599	1647	1711	1776	1844	1916	1990	2088
Apparel/Drv Goods Specialist III	1775	1828	1883	1966	2041	2118	2195	2272	2400
Attendant	1412	1454	1498	1556	1618	1681	1747	1813	1901
Children's Shelter Care Associate	1726	1778	1831	1901	1978	2052	2132	2213	2335
Clinical Laboratory Associate	1546	1592	1640	1696	1756	1816	1875	1937	2041
Clinical Laboratory Phlebotomist	1495	1540	1586	1640	1693	1751	1806	1864	1958
Clinical Laboratory Technician I	1724	1776	1829	1909	1978	2053	2125	2202	2324
Clinical Laboratory Technician II	1885	1942	2000	2085	2163	2253	2335	2424	2559
Commissary Clerk	1444	1487	1532	1581	1628	1681	1733	1783	1873
Commissary Manager I	1490	1535	1581	1629	1689	1740	1792	1849	1938
Commissary Manager II	1609	1657	1707	1773	1841	1912	1985	2061	2163
Cook I	1490	1535	1581	1629	1689	1740	1792	1849	1938
Cook II	1594	1642	1691	1751	1809	1874	1935	2000	2109
Educator Aide	1775	1828	1883	1966	2041	2118	2195	2272	2400
Florist II	1775	1828	1883	1966	2041	2118	2195	2272	2400
Institutional Maintenance Worker	1594	1642	1691	1751	1809	1874	1935	2000	2109
Laboratory Assistant	1399	1441	1484	1535	1584	1629	1684	1730	1819
Laboratory Associate I	1724	1776	1829	1909	1978	2053	2125	2202	2324
Laboratory Associate II	1885	1942	2000	2085	2163	2253	2335	2424	2559
Licensed Practical Nurse I	1709	1760	1813	1880	1956	2027	2107	2175	2291
Licensed Practical Nurse II	1792	1846	1901	1985	2059	2140	2218	2298	2446
Locksmith	1967	2026	2087	2175	2268	2360	2449	2543	2687
Mental Health Technician I	1456	1500	1545	1604	1667	1730	1798	1867	1957
Mental Health Technician II	1552	1599	1647	1711	1776	1844	1916	1990	2088
Mental Health Technician III	1609	1657	1707	1773	1841	1912	1985	2061	2163
Mental Health Technician IV	1664	1714	1765	1833	1906	1978	2054	2134	2241
Mental Health Technician V	1726	1778	1831	1901	1978	2052	2132	2213	2335
Mental Health Technician VI	1746	1798	1852	1923	2000	2078	2157	2239	2354
Mental Health Technician Trainee I	1360	1401	1443	1484	1535	1581	1625	1672	1758
Musician	1609	1657	1707	1773	1841	1912	1985	2061	2163
Pest Control Operator	1709	1760	1813	1880	1956	2027	2107	2175	2291
Physical Therapy Aide I	1412	1454	1498	1556	1618	1681	1747	1813	1901
Physical Therapy Aide II	1552	1599	1647	1711	1776	1844	1916	1990	2088
Physical Therapy Aide III	1726	1778	1831	1901	1978	2052	2132	2213	2335



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Rehabilitation Workshop	1609	1657	1707	1773	1841	1912	1985	2061	2163
Instructor I									
Rehabilitation Workshop	1792	1846	1901	1985	2059	2140	2218	2298	2446
Instructor II									
Residential Care Worker	1726	1778	1831	1901	1978	2052	2132	2213	2335
Residential Care Worker Trainee	1599	1647	1696	1761	1824	1893	1954	2021	2128
Security Therapy Aide I	1943	2001	2061	2148	2235	2327	2414	2507	2645
Security Therapy Aide II	2132	2196	2262	2361	2457	2566	2665	2769	2930
Security Therapy Aide III	2226	2293	2362	2469	2577	2686	2794	2899	3069
Security Therapy Aide Trainee	1660	1710	1761	1827	1898	1966	2040	2110	2220
Social Service Aide I	1609	1657	1707	1773	1841	1912	1985	2061	2163
Social Service Aide II	1726	1778	1831	1901	1978	2052	2132	2213	2335
Social Service Aide Trainee	1399	1441	1484	1535	1584	1629	1684	1730	1819
Support Service Supervisor I	1650	1700	1751	1813	1878	1950	2018	2086	2198
Support Service Supervisor II	1775	1828	1883	1966	2041	2118	2195	2272	2400
Support Service Worker I	1444	1487	1532	1581	1628	1681	1733	1783	1873
Support Service Worker III	1536	1582	1629	1691	1743	1805	1862	1921	2020
Transportation Coordinator	2030	2091	2154	2242	2342	2436	2531	2627	2778
Transportation Officer I	2132	2196	2262	2361	2457	2566	2665	2769	2930
Veterans Nursing Assistant -	1609	1657	1707	1773	1841	1912	1985	2061	2163

## Certified

2/ Entry level step in second year of contract.

Effective: July 1, 1996

## STEPS

	1c	3/	1b	1a	1	2	3	4	5	6	7
Activity Program Aide I	1412	1454	1498	1543	1603	1667	1731	1799	1867	1958	
Activity Program Aide II	1436	1500	1545	1591	1652	1717	1782	1852	1923	2016	
Apparel/Dry Goods Specialist I	1456	1500	1545	1591	1652	1717	1782	1852	1923	2016	
Apparel/Dry Goods Specialist II	1552	1599	1647	1696	1762	1829	1899	1973	2050	2151	
Apparel/Dry Goods Specialist III	1775	1828	1883	1939	2025	2102	2182	2261	2340	2472	
Attendant	1412	1454	1498	1543	1603	1667	1731	1799	1867	1958	
Children's Shelter Care Associate	1726	1778	1831	1886	1958	2037	2114	2196	2279	2405	
Clinical Laboratory Associate	1546	1592	1640	1689	1747	1809	1870	1931	1995	2102	
Clinical Laboratory	1495	1540	1586	1634	1689	1744	1804	1860	1920	2017	
Phlebotomist											
Clinical Laboratory Technician	11724	1776	1829	1884	1966	2037	2115	2189	2268	2394	

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Clinical Laboratory Technician I	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Commissary Clerk	1444	1487	1532	1578	1628	1677	1731	1785	1836	1929
Commissary Manager I	1490	1535	1581	1628	1678	1740	1792	1846	1904	1996
Commissary Manager II	1609	1657	1707	1758	1826	1896	1969	2045	2123	2228
Cook I	1490	1535	1581	1628	1678	1740	1792	1846	1904	1996
Cook II	1594	1642	1691	1742	1804	1863	1930	1993	2060	2172
Educator Aide	1775	1828	1883	1939	2025	2102	2182	2261	2340	2472
Florist II	1775	1828	1883	1939	2025	2102	2182	2261	2340	2472
Institutional Maintenance Worker	1594	1642	1691	1742	1804	1863	1930	1993	2060	2172
Laboratory Assistant	1399	1441	1484	1529	1581	1632	1678	1735	1782	1874
Laboratory Associate I	1724	1776	1829	1884	1966	2037	2115	2189	2268	2394
Laboratory Associate II	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Licensed Practical Nurse I	1709	1760	1813	1867	1936	2015	2088	2170	2240	2360
Licensed Practical Nurse II	1792	1846	1901	1958	2045	2121	2204	2285	2367	2519
Locksmith	1967	2026	2087	2150	2240	2336	2431	2522	2619	2768
Mental Health Technician I	1456	1500	1545	1591	1652	1717	1782	1852	1923	2016
Mental Health Technician II	1552	1599	1647	1696	1762	1829	1899	1973	2050	2151
Mental Health Technician III	1609	1657	1707	1758	1826	1896	1969	2045	2123	2228
Mental Health Technician IV	1664	1714	1765	1818	1888	1963	2037	2116	2198	2308
Mental Health Technician V	1726	1778	1831	1886	1958	2037	2114	2196	2279	2405
Mental Health Technician VI	1746	1798	1852	1908	1981	2060	2140	2222	2306	2425
Mental Health Technician Trainee I	1360	1401	1443	1486	1529	1581	1628	1674	1722	1811
Musician	1609	1657	1707	1758	1826	1896	1969	2045	2123	2228
Pest Control Operator	1709	1760	1813	1867	1936	2015	2088	2170	2240	2360
Physical Therapy Aide I	1412	1454	1498	1543	1603	1667	1731	1799	1867	1958
Physical Therapy Aide II	1552	1599	1647	1696	1762	1829	1899	1973	2050	2151
Physical Therapy Aide III	1726	1778	1831	1886	1958	2037	2114	2196	2279	2405
Rehabilitation Workshop Instructor I	1609	1657	1707	1758	1826	1896	1969	2045	2123	2228
Rehabilitation Workshop Instructor II	1792	1846	1901	1958	2045	2121	2204	2285	2367	2519
Residential Care Worker	1726	1778	1831	1886	1958	2037	2114	2196	2279	2405
Residential Care Worker Trainee	1599	1647	1696	1747	1814	1879	1950	2013	2082	2192
Security Therapy Aide I	1943	2001	2061	2123	2212	2302	2397	2486	2582	2724
Security Therapy Aide II	2132	2196	2262	2330	2432	2531	2643	2745	2852	3018
Security Therapy Aide III	2226	2293	2362	2433	2543	2654	2767	2878	2986	3161
Security Therapy Aide Trainee	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Social Service Aide I	1609	1657	1707	1758	1826	1896	1969	2045	2123	2228

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Social Service Aide II	1726	1778	1831	1886	1958	2037	2114	2196	2279	2405
Social Service Aide Trainee	1399	1441	1484	1529	1581	1632	1678	1735	1782	1874
Support Service Supervisor I	1650	1700	1751	1804	1867	1934	2009	2079	2149	2264
Support Service Supervisor II	1775	1828	1883	1939	2025	2102	2182	2261	2340	2472
Support Service Worker II	1444	1487	1532	1578	1628	1677	1731	1785	1836	1929
Support Service Worker III	1536	1582	1629	1678	1742	1795	1859	1918	1979	2081
Transportation Coordinator	2030	2091	2154	2219	2309	2412	2509	2607	2706	2861
Transportation Officer I	2132	2196	2262	2330	2432	2531	2643	2745	2852	3018
Veterans Nursing Assistant - Certified	1609	1657	1707	1758	1826	1896	1969	2045	2123	2228

3/ Entry level step in third year of contract.

(Source: Peremptory amendment at 18 Ill. Reg. \_\_\_\_\_, effective JUN 13 1994 )

Section 310, Appendix A Negotiated Rates of Pay  
TABLE J RC-014 (Clerical Employees, AFSCME)

Effective: July 1, 1991

STEPS

	1	2	3	4	5	6	7
ACCOUNT CLERK I	1318	1362	1407	1452	1495	1539	1616
ACCOUNT CLERK II	1408	1457	1507	1559	1610	1663	1752
ACCOUNT TECHNICIAN I	1512	1569	1630	1688	1751	1812	1905
ACCOUNT TECHNICIAN II	1639	1708	1771	1843	1911	1977	2087
ADJUDICATIVE SERVICES -ASSISTANT	1408	1457	1507	1559	1610	1663	1752
AIRCRAFT DISPATCHER	1717	1789	1858	1934	2005	2080	2197
AIRCRAFT LEAD DISPATCHER	1878	1960	2042	2133	2215	2300	2433
AUDIO VISUAL TECHNICIAN I	1362	1408	1454	1502	1550	1600	1682
AUDIO VISUAL TECHNICIAN II	1512	1569	1630	1688	1751	1812	1905
BUYER ASSISTANT	1571	1638	1698	1763	1825	1891	1995
CHECK ISSUANCE MACHINE OPERATOR	1542	1569	1630	1688	1751	1812	1905
CLERICAL-TRAINEE- TR							
COMMUNICATION DISPATCHER	1457	1512	1566	1625	1678	1735	1827
COMMUNICATION EQUIPMENT TECH I	2162	2265	2370	2469	2570	2674	2834

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

COMMUNICATION EQUIPMENT TECH II	2402	2524	2643	2764	2881	3002	3184
COMMUNICATION EQUIPMENT TECH III	2538	2665	2790	2923	3049	3174	3369
COURT REPORTER	1961	2053	2141	2229	2321	2408	2551
DATA PROCESSING ASSISTANT	1362	1408	1454	1502	1550	1600	1682
DATA PROCESSING OPERATOR	1274	1318	1360	1399	1445	1486	1562
DATA PROCESSING OPERATOR TRAINEE	1206	1239	1274	1317	1354	1391	1457
DRAFTING WORKER	1639	1708	1771	1843	1911	1977	2087
ELECTRONIC EQUIPMENT	1571	1638	1698	1763	1825	1891	1995
INSTALLER/REPAIRER	1717	1789	1858	1934	2005	2080	2197
INSTALLER/REPAIRER LEADWORKER							
ELECTRONICS TECHNICIAN	1961	2053	2141	2229	2321	2408	2551
ENGINEERING TECHNICIAN II	1791	1867	1947	2025	2103	2183	2307
ENGINEERING TECHNICIAN III	2060	2156	2255	2348	2446	2544	2695
EXECUTIVE SECRETARY I	1639	1708	1771	1843	1911	1977	2087
GRAPHIC ARTS DESIGNER	1878	1960	2042	2133	2215	2300	2433
GRAPHIC ARTS TECHNICIAN	1717	1789	1858	1934	2005	2080	2197
INDUSTRIAL COMMISSION REPORTER	2060	2156	2255	2348	2446	2544	2695
INDUSTRIAL COMMISSION TECHNICIAN	1639	1708	1771	1843	1911	1977	2087
INSURANCE ANALYST I	1512	1569	1630	1688	1751	1812	1905
INSURANCE ANALYST II	1717	1789	1858	1934	2005	2080	2197
INSURANCE ANALYST-TRAINEE	1408	1457	1507	1559	1610	1663	1752
INTERMITTENT CLERK	741	764	785	811	834	856	898
LIBRARY AIDE I	1239	1274	1318	1357	1395	1436	1509
LIBRARY AIDE II	1318	1362	1407	1452	1495	1539	1616
LIBRARY TECHNICAL ASSISTANT	1571	1638	1698	1763	1825	1891	1995
LICENSING-QUALITY ASSURANCE ANALYST	1512	1569	1630	1688	1751	1812	1905
MICROFILM LABORATORY TECH I	1408	1457	1507	1559	1610	1663	1752
MICROFILM LABORATORY TECH II	1512	1569	1630	1688	1751	1812	1905
MICROFILM OPERATOR I	1274	1318	1360	1399	1445	1486	1562
MICROFILM OPERATOR II	1362	1408	1454	1502	1550	1600	1682
MICROFILM OPERATOR III	1457	1512	1566	1625	1678	1735	1827
OFFICE AIDE	1206	1239	1274	1317	1354	1391	1457
OFFICE ASSISTANT	1362	1408	1454	1502	1550	1600	1682
OFFICE ASSOCIATE	1457	1512	1566	1625	1678	1735	1827



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

OFFICE CLERK	1274	1318	1360	1399	1445	1486	1562
OFFICE COORDINATOR	1512	1569	1630	1688	1751	1812	1905
PHOTOGRAPHER I	1639	1708	1771	1843	1911	1977	2087
PHOTOGRAPHER II	1878	1960	2042	2133	2215	2300	2433
PHOTOGRAPHER III	1961	2053	2141	2229	2321	2408	2551
PHOTOGRAPHIC TECHNICIAN I	1639	1708	1771	1843	1911	1977	2087
PHOTOGRAPHIC TECHNICIAN II	1878	1960	2042	2133	2215	2300	2433
PHOTOGRAPHIC TECHNICIAN III	1961	2053	2141	2229	2321	2408	2551
PROCUREMENT REPRESENTATIVE	1512	1569	1630	1688	1751	1812	1905
PROPERTY & SUPPLY CLERK I	1274	1315	1357	1397	1436	1481	1557
PROPERTY & SUPPLY CLERK II	1357	1399	1450	1494	1539	1587	1664
PROPERTY TAX EXAMINER	1512	1569	1630	1688	1751	1812	1905
REHABILITATION CASE COORDINATOR I	1408	1457	1507	1559	1610	1663	1752
REHABILITATION CASE COORD II	1512	1569	1630	1688	1751	1812	1905
REPRODUCTION SERVICE TECHNICIAN I	1318	1362	1407	1452	1495	1559	1616
REPRODUCTION SERVICE TECH II	1512	1569	1630	1688	1751	1812	1905
REPRODUCTION SERVICE TECH III	1639	1708	1771	1843	1911	1977	2087
SAFETY RESPONSIBILITY ANALYST I	1512	1569	1630	1688	1751	1812	1905
SAFETY RESPONSIBILITY ANALYST II	1717	1789	1858	1934	2005	2080	2197
STOREKEEPER I	1502	1557	1613	1674	1732	1790	1887
STOREKEEPER II	1617	1688	1752	1819	1884	1951	2060
STORES CLERK	1315	1357	1398	1443	1488	1532	1608
SWITCHBOARD OPERATOR I	1274	1318	1360	1399	1445	1486	1562
SWITCHBOARD OPERATOR II	1362	1408	1454	1502	1550	1600	1682
TAX EXAMINER	1512	1569	1630	1688	1751	1812	1905
TAX EXAMINER-TRAINEE	1362	1408	1454	1502	1550	1600	1682
TAXPAYER SERVICE REP I	1318	1362	1407	1452	1495	1539	1616
TAXPAYER SERVICE REP II	1457	1512	1566	1625	1678	1735	1827
TAXPAYER SERVICE REP III	1639	1708	1771	1843	1911	1977	2087
TELECOMMUNICATIONS FIELD ADVISOR	1961	2053	2141	2229	2321	2408	2551
TELECOMMUNICATIONS FIELD ADVISOR LEADWORKER	2162	2265	2370	2469	2570	2674	2834
TELECOMMUNICATOR	1717	1789	1858	1934	2005	2080	2197
TELECOMMUNICATOR COMMAND CENTER LEADWORKER	1791	1867	1947	2025	2103	2183	2307
TELECOMMUNICATOR LEADWORKER	1878	1960	2042	2133	2215	2300	2433

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

TELECOMMUNICATOR	1961	2053	2141	2229	2321	2408	2551
LEADWORKER COMMAND CENTER							
TELECOMMUNICATOR TRAINEE	1571	1638	1698	1763	1825	1891	1995
VEHICLE PERMIT EVALUATOR	1639	1708	1771	1843	1911	1977	2087
VETERANS SERVICE OFFICER	1639	1708	1771	1843	1911	1977	2087
ASSOC							

NOTE: Effective January 1, 1992, employees who have 15 years of service and have 3 or more years of creditable service on Step 7 in the same pay grade shall receive an additional \$23.00 monthly.

Effective: July 1, 1992

## STEPS

	1	2	3	4	5	6	7
ACCOUNT CLERK I	1351	1396	1442	1488	1532	1577	1656
ACCOUNT CLERK II	1443	1493	1545	1598	1650	1705	1796
ACCOUNT TECHNICIAN I	1610	1679	1740	1807	1871	1938	2045
ACCOUNT TECHNICIAN II	1760	1834	1904	1982	2055	2132	2252
ADJUDICATIVE SERVICES ASSISTANT	1443	1493	1545	1598	1650	1705	1796
ADMINISTRATIVE SERVICES WORKER-TRAINEE	1236	1270	1306	1350	1388	1426	1493
AIRCRAFT DISPATCHER	1760	1834	1904	1982	2055	2132	2252
AIRCRAFT LEAD DISPATCHER	1925	2009	2093	2186	2270	2358	2494
AUDIO-VISUAL TECHNICIAN I	1396	1443	1490	1540	1589	1640	1724
AUDIO-VISUAL TECHNICIAN II	1550	1608	1671	1730	1795	1857	1953
BUYER ASSISTANT	1610	1679	1740	1807	1871	1938	2045
CHECK-ISSUANCE MACHINE OPERATOR	1550	1608	1671	1730	1795	1857	1953
CLERICAL-TRAINEE-TR							
COMMUNICATION DISPATCHER	1493	1550	1605	1666	1720	1778	1873
COMMUNICATION EQUIPMENT TECH I	2216	2322	2429	2531	2634	2741	2905
COMMUNICATION EQUIPMENT TECH II	2462	2587	2709	2833	2953	3077	3264
COMMUNICATION EQUIPMENT TECH III	2601	2732	2860	2996	3125	3253	3453
COURT REPORTER	2010	2104	2195	2285	2379	2468	2615
DATA PROCESSING ASSISTANT	1396	1443	1490	1540	1589	1640	1724
DATA PROCESSING OPERATOR	1306	1351	1394	1434	1481	1523	1601



DEPARTMENT OF CENTRAL MANAGEMENT SERVICES  
NOTICE OF PEREMPTORY AMENDMENTS

DATA PROCESSING-OPERATOR TRAINEE	1226-1270-1306-1350-1388-1426-1493
DRAFTING-WORKER	1680-1751-1815-1889-1959-2026-2139
ELECTRONIC EQUIPMENT INSTALLER/REPAIRER	1610-1679-1740-1807-1871-1938-2045
ELECTRONIC EQUIPMENT INSTALLER/REPAIRER LEADWORKER	1760-1834-1904-1982-2055-2122-2252
ELECTRONICS TECHNICIAN	2010-2104-2195-2285-2379-2468-2615
ENGINEERING TECHNICIAN II	1836-1914-1996-2076-2156-2238-2365
ENGINEERING TECHNICIAN III	2112-2210-2311-2407-2507-2608-2762
EXECUTIVE-SECRETARY I	1680-1751-1815-1889-1959-2026-2139
GRAPHIC ARTS DESIGNER	1925-2009-2093-2186-2270-2358-2494
GRAPHIC ARTS TECHNICIAN	1760-1834-1904-1982-2055-2122-2252
INDUSTRIAL-COMMISSION REPORTER	2112-2210-2311-2407-2507-2608-2762
INDUSTRIAL-COMMISSION TECHNICIAN	1680-1751-1815-1889-1959-2026-2139
INSURANCE-ANALYST I	1550-1608-1671-1730-1795-1857-1953
INSURANCE-ANALYST II	1760-1834-1904-1982-2055-2122-2252
INSURANCE-ANALYST-TRAINEE	1443-1493-1545-1598-1650-1705-1796
INTERMITTENT CLERK	7-61-7-82-8-04-8-31-8-54-8-78-9-19
LIBRARY-AIDE I	1270-1306-1351-1391-1430-1472-1547
LIBRARY-AIDE II	1351-1396-1442-1488-1532-1577-1656
LIBRARY-TECHNICAL-ASSISTANT	1610-1679-1740-1807-1871-1938-2045
LICENSING-QUALITY-ASSURANCE ANALYST	1550-1608-1671-1730-1795-1857-1953
MICROFILM LABORATORY TECH I	1443-1493-1545-1598-1650-1705-1796
MICROFILM LABORATORY TECH II	1550-1608-1671-1730-1795-1857-1953
MICROFILM OPERATOR I	1306-1351-1394-1434-1481-1523-1601
MICROFILM OPERATOR II	1396-1443-1490-1540-1589-1640-1724
MICROFILM OPERATOR III	1493-1550-1605-1666-1720-1778-1873
OFFICE-AIDE	1236-1270-1306-1350-1388-1426-1493
OFFICE-ASSISTANT	1396-1443-1490-1540-1589-1640-1724
OFFICE-ASSOCIATE	1493-1550-1605-1666-1720-1778-1873
OFFICE-CLERK	1306-1351-1394-1434-1481-1523-1601
OFFICE-COORDINATOR	1680-1751-1815-1889-1959-2026-2139
PHOTOGRAPHER I	1925-2009-2093-2186-2270-2358-2494
PHOTOGRAPHER II	2010-2104-2195-2285-2379-2468-2615
PHOTOGRAPHER III	1680-1751-1815-1889-1959-2026-2139
PHOTOGRAPHIC TECHNICIAN I	1680-1751-1815-1889-1959-2026-2139
PHOTOGRAPHIC TECHNICIAN II	1925-2009-2093-2186-2270-2358-2494

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES  
NOTICE OF PEREMPTORY AMENDMENTS

PHOTOGRAPHIC TECHNICIAN III	2010-2104-2195-2285-2379-2468-2615
PROCUREMENT-REPRESENTATIVE	1550-1608-1671-1730-1795-1857-1953
PROPERTY-&SUPPLY-CLERK I	1306-1348-1391-1432-1472-1518-1596
PROPERTY-&SUPPLY-CLERK II	1391-1434-1486-1531-1577-1627-1706
PROPERTY TAX EXAMINER	1550-1608-1671-1730-1795-1857-1953
REHABILITATION CASE COORD-I	1443-1493-1545-1598-1650-1705-1796
REHABILITATION CASE COORD-II	1550-1608-1671-1730-1795-1857-1953
REPRODUCTION-SERVICE	1351-1396-1442-1488-1532-1577-1656
TECH I	
REPRODUCTION-SERVICE-TECH II	1550-1608-1671-1730-1795-1857-1953
REPRODUCTION-SERVICE-TECH III	1680-1751-1815-1889-1959-2026-2139
SAFETY-RESPONSIBILITY ANALYST I	1550-1608-1671-1730-1795-1857-1953
SAFETY-RESPONSIBILITY ANALYST II	1760-1834-1904-1982-2055-2132-2252
STOREKEEPER I	1668-1730-1800-1863-1937-2000-2107
STOREKEEPER II	1810-1886-1960-2039-2116-2186-2311
STORES-CLERK	1348-1391-1423-1479-1525-1570-1648
SWITCHBOARD-OPERATOR I	1306-1351-1394-1434-1481-1523-1601
SWITCHBOARD-OPERATOR II	1396-1443-1490-1540-1589-1640-1724
TAX-EXAMINER	1550-1608-1671-1730-1795-1857-1953
TAX-EXAMINER-TRAINEE	1396-1443-1490-1540-1589-1640-1724
TAXPAYER-SERVICE-REP I	1396-1443-1490-1540-1589-1640-1724
TAXPAYER-SERVICE-REP II	1550-1608-1671-1730-1795-1857-1953
TAXPAYER-SERVICE-REP III	1760-1834-1904-1982-2055-2132-2252
TELECOMMUNICATIONS FIELD ADVISOR	2010-2104-2195-2285-2379-2468-2615
TELECOMMUNICATIONS FIELD ADVISOR LEAD-WORKER	2216-2322-2429-2531-2634-2741-2905
TELECOMMUNICATOR	1760-1834-1904-1982-2055-2132-2252
TELECOMMUNICATOR COMMAND-CENTER WORKER	1836-1914-1996-2076-2156-2238-2365
TELECOMMUNICATOR LEAD WORKER	1925-2009-2093-2186-2270-2358-2494
TELECOMMUNICATOR LEAD WORKER-COMMAND CENTER	2010-2104-2195-2285-2379-2468-2615
TELECOMMUNICATOR-TRAINEE	1610-1679-1740-1807-1871-1938-2045
VEHICLE PERMIT EVALUATOR	1680-1751-1815-1889-1959-2026-2139
VETERANS-SERVICE-OFFICER ASSOC	1680-1751-1815-1889-1959-2026-2139

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Effective: January 1, 1993

## S T E P S

	1	2	3	4	5	6	7
ACCOUNT CLERK I	1378	1424	1471	1518	1563	1609	1689
ACCOUNT CLERK II	1472	1523	1576	1620	1683	1739	1832
ACCOUNT TECHNICIAN I	1642	1713	1775	1843	1908	1977	2086
ACCOUNT TECHNICIAN II	1795	1871	1942	2022	2096	2175	2297
ADJUDICATIVE SERVICES	1472	1523	1576	1620	1683	1739	1832
ASSISTANT							
ADMINISTRATIVE SERVICES	1261	1295	1332	1377	1416	1455	1523
WORKER-TRAINEE							
AIRCRAFT DISPATCHER	1795	1871	1942	2022	2096	2175	2297
AIRCRAFT LEAD DISPATCHER	1964	2049	2135	2230	2315	2405	2544
AUDIO-VISUAL TECHNICIAN I	1424	1472	1520	1571	1621	1673	1738
AUDIO-VISUAL TECHNICIAN II	1581	1640	1704	1765	1831	1894	1992
BUYER ASSISTANT	1642	1713	1775	1843	1908	1977	2086
CHECK-ISSUANCE MACHINE	1581	1640	1704	1765	1831	1894	1992
OPERATOR							
CLERICAL-TRAINEE							
COMMUNICATION-DISPATCHER	1523	1581	1637	1699	1754	1814	1910
COMMUNICATION-EQUIPMENT	2260	2368	2478	2582	2687	2796	2963
TECH I							
COMMUNICATION-EQUIPMENT	2511	2639	2763	2890	3012	3139	3329
TECH II							
COMMUNICATION-EQUIPMENT	2653	2787	2917	3056	3188	3318	3522
TECH III							
COURT-REPORTER	2050	2146	2239	2331	2427	2517	2667
DATA PROCESSING-ASSISTANT	1424	1472	1520	1571	1621	1673	1738
DATA PROCESSING-OPERATOR	1332	1378	1422	1463	1511	1553	1633
DATA PROCESSING-OPERATOR	1261	1295	1332	1377	1416	1455	1523
TRAINEE							
DRAFTING-WORKER	1714	1786	1851	1927	1998	2067	2182
ELECTRONIC-EQUIPMENT	1642	1713	1775	1843	1908	1977	2086
INSTALLER/REPAIRER							
ELECTRONIC-EQUIPMENT	1795	1871	1942	2022	2096	2175	2297
INSTALLER/REPAIRER-LEADWORKER							
ELECTRONICS-TECHNICIAN	2050	2146	2239	2331	2427	2517	2667
ENGINEERING-TECHNICIAN II	1873	1952	2036	2118	2199	2283	2412
ENGINEERING-TECHNICIAN III	2154	2254	2357	2455	2557	2660	2817
EXECUTIVE-SECRETARY I	1714	1786	1851	1927	1998	2067	2182
GRAPHIC-ARTS-DESIGNER	1964	2049	2135	2230	2315	2405	2544

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

GRAPHIC-ARTS-TECHNICIAN	1795	1871	1942	2022	2096	2175	2297
INDUSTRIAL-COMMISSION	2154	2254	2357	2455	2557	2660	2817
REPORTER							
INDUSTRIAL-COMMISSION	1714	1786	1851	1927	1998	2067	2182
TECHNICIAN							
INSURANCE-ANALYST I	1581	1640	1704	1765	1831	1894	1992
INSURANCE-ANALYST II	1795	1871	1942	2022	2096	2175	2297
INSURANCE-ANALYST-TRAINEE	1472	1523	1576	1620	1683	1739	1832
INTERMITTENT CLERK	776	797	820	847	871	895	937
LIBRARY-AIDE I	1295	1332	1378	1419	1459	1501	1578
LIBRARY-AIDE II	1378	1424	1471	1518	1563	1609	1689
LIBRARY-TECHNICAL-ASSISTANT	1642	1713	1775	1843	1908	1977	2086
LICENSING-QUALITY-ASSURANCE	1581	1640	1704	1765	1831	1894	1992
ANALYST							
MICROFILM-LABORATORY-TECH I	1472	1523	1576	1620	1683	1739	1832
MICROFILM-LABORATORY-TECH II	1581	1640	1704	1765	1831	1894	1992
MICROFILM-OPERATOR I	1332	1378	1422	1463	1511	1553	1633
MICROFILM-OPERATOR II	1424	1472	1520	1571	1621	1673	1738
MICROFILM-OPERATOR III	1523	1581	1637	1699	1754	1814	1910
OFFICE-AIDE	1261	1295	1332	1377	1416	1455	1523
OFFICE-ASSISTANT	1424	1472	1520	1571	1621	1673	1738
OFFICE-ASSOCIATE	1523	1581	1637	1699	1754	1814	1910
OFFICE-CLERK	1332	1378	1422	1463	1511	1553	1633
OFFICE-COORDINATOR	1581	1640	1704	1765	1831	1894	1992
PHOTOGRAPHER I	1714	1786	1851	1927	1998	2067	2182
PHOTOGRAPHER II	1964	2049	2135	2230	2315	2405	2544
PHOTOGRAPHER III	2050	2146	2239	2331	2427	2517	2667
PHOTOGRAPHIC-TECHNICIAN I	1714	1786	1851	1927	1998	2067	2182
PHOTOGRAPHIC-TECHNICIAN II	1964	2049	2135	2230	2315	2405	2544
PHOTOGRAPHIC-TECHNICIAN III	2050	2146	2239	2331	2427	2517	2667
PROCUREMENT-REPRESENTATIVE	1581	1640	1704	1765	1831	1894	1992
PROPERTY & SUPPLY-CLERK I	1332	1375	1419	1461	1501	1548	1628
PROPERTY & SUPPLY-CLERK II	1419	1463	1516	1562	1609	1660	1740
PROPERTY-TAX-EXAMINER	1581	1640	1704	1765	1831	1894	1992
REHABILITATION CASE	1472	1523	1576	1620	1683	1739	1832
COORD-I							
REHABILITATION CASE COORD II	1581	1640	1704	1765	1831	1894	1992
REPRODUCTION-SERVICE	1378	1424	1471	1518	1563	1609	1689
TECH I							
REPRODUCTION-SERVICE TECH II	1581	1640	1704	1765	1831	1894	1992
REPRODUCTION-SERVICE TECH III	1714	1786	1851	1927	1998	2067	2182



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SAFETY RESPONSIBILITY ANALYST I	1381	1640	1704	1765	1831	1894	1992
SAFETY RESPONSIBILITY ANALYST II	1795	1871	1942	2022	2096	2175	2297
STOREKEEPER I	1701	1765	1836	1900	1976	2040	2149
STOREKEEPER II	1846	1924	1999	2080	2158	2230	2357
STORES CLERK	1375	1419	1462	1509	1556	1601	1681
SWITCHBOARD OPERATOR I	1332	1378	1422	1463	1511	1553	1633
SWITCHBOARD OPERATOR II	1424	1472	1520	1571	1621	1673	1758
TAX EXAMINER	1581	1640	1704	1765	1831	1894	1992
TAX EXAMINER TRAINEE	1424	1472	1520	1571	1621	1673	1758
TAXPAYER SERVICE REP I	1424	1472	1520	1571	1621	1673	1758
TAXPAYER SERVICE REP II	1581	1640	1704	1765	1831	1894	1992
TAXPAYER SERVICE REP III	1795	1871	1942	2022	2096	2175	2297
TELECOMMUNICATIONS FIELD ADVISOR	2050	2146	2239	2331	2427	2517	2667
TELECOMMUNICATIONS FIELD ADVISOR LEAD WORKER	2260	2368	2478	2582	2687	2796	2963
TELECOMMUNICATOR	1795	1871	1942	2022	2096	2175	2297
TELECOMMUNICATOR COMMAND CENTER	1873	1952	2036	2118	2199	2283	2412
TELECOMMUNICATOR LEAD WORKER	1964	2049	2135	2230	2315	2405	2541
TELECOMMUNICATOR LEAD WORKER COMMAND CENTER	2050	2146	2239	2331	2427	2517	2667
TELECOMMUNICATOR TRAINEE	1642	1713	1775	1843	1908	1977	2086
VEHICLE PERMIT EVALUATOR	1714	1786	1851	1927	1998	2067	2182
VETERANS SERVICE OFFICER ASSOC	1714	1786	1851	1927	1998	2067	2182

Effective: July 1, 1993

STEPS  
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ACCOUNT CLERK I	1417	1495	1545	1594	1641	1689	1773
ACCOUNT CLERK II	1546	1599	1655	1712	1767	1826	1924
ACCOUNT TECHNICIAN I	1724	1799	1864	1935	2003	2076	2190
ACCOUNT TECHNICIAN II	1885	1965	2039	2123	2201	2284	2412
ADJUDICATIVE SERVICES ASSISTANT	1546	1599	1655	1712	1767	1826	1921
ADMINISTRATIVE SERVICES WORKER TRAINEE	1321	1360	1399	1416	1487	1528	1590

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AIRCRAFT DISPATCHER	1885	1965	2039	2123	2201	2284	2412
AIRCRAFT LEAD DISPATCHER	2062	2151	2242	2342	2431	2525	2671
AUDIO VISUAL TECHNICIAN I	1495	1546	1596	1650	1702	1757	1846
AUDIO VISUAL TECHNICIAN II	1660	1722	1789	1853	1923	1989	2092
BUYER ASSISTANT	1724	1799	1864	1935	2003	2076	2190
CHECK ISSUANCE MACHINE OPERATOR	1660	1722	1789	1853	1923	1989	2092
CLERICAL TRAINEE TR							
COMMUNICATION DISPATCHER	1599	1660	1719	1784	1842	1905	2006
COMMUNICATION EQUIPMENT TECH I	2373	2486	2602	2711	2821	2936	3111
COMMUNICATION EQUIPMENT TECH II	2637	2771	2901	3035	3163	3296	3495
COMMUNICATION EQUIPMENT TECH III	2786	2926	3063	3209	3347	3484	3698
COURT REPORTER	2153	2253	2351	2448	2548	2643	2800
DATA PROCESSING ASSISTANT	1495	1546	1596	1650	1702	1757	1846
DATA PROCESSING OPERATOR	1399	1447	1493	1536	1587	1631	1715
DATA PROCESSING OPERATOR TRAINEE	1324	1360	1399	1446	1487	1528	1599
DRAFTING WORKER	1800	1875	1944	2023	2098	2170	2291
ELECTRONIC EQUIPMENT INSTALLER/REPAIRER	1724	1799	1864	1935	2003	2076	2190
ELECTRONIC EQUIPMENT INSTALLER/REPAIRER LEADWORKER	1885	1965	2039	2123	2201	2284	2412
ELECTRONICS TECHNICIAN	2153	2253	2351	2448	2548	2643	2800
ENGINEERING TECHNICIAN II	1967	2050	2138	2224	2309	2397	2533
ENGINEERING TECHNICIAN III	2262	2367	2475	2578	2685	2793	2958
EXECUTIVE SECRETARY I	1800	1875	1944	2023	2098	2170	2291
GRAPHIC ARTS DESIGNER	2062	2151	2242	2342	2431	2525	2671
GRAPHIC ARTS TECHNICIAN	1885	1965	2039	2123	2201	2284	2412
INDUSTRIAL COMMISSION REPORTER	2262	2367	2475	2578	2685	2793	2958
INDUSTRIAL COMMISSION TECHNICIAN	1800	1875	1944	2023	2098	2170	2291
INSURANCE ANALYST I	1660	1722	1789	1853	1923	1989	2092
INSURANCE ANALYST II	1885	1965	2039	2123	2201	2284	2412
INSURANCE ANALYST TRAINEE	1546	1599	1655	1712	1767	1826	1924
INTERMITTENT CLERK	815	837	861	890	915	940	984
LIBRARY AIDE I	1360	1399	1417	1490	1532	1576	1657
LIBRARY AIDE II	1417	1495	1545	1594	1641	1689	1773



DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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LIBRARY TECHNICAL ASSISTANT	1724	1799	1864	1935	2003	2076	2190
LICENSING QUALITY ASSURANCE ANALYST	1660	1722	1789	1853	1923	1989	2092
MICROFILM LABORATORY TECH I	1546	1599	1655	1712	1767	1826	1924
MICROFILM LABORATORY TECH II	1660	1722	1789	1853	1923	1989	2092
MICROFILM OPERATOR I	1399	1447	1493	1536	1587	1631	1715
MICROFILM OPERATOR II	1495	1546	1596	1650	1702	1757	1846
MICROFILM OPERATOR III	1599	1660	1719	1784	1842	1905	2006
OFFICE AIDE	1324	1360	1399	1446	1487	1528	1599
OFFICE ASSISTANT	1495	1546	1596	1650	1702	1757	1846
OFFICE ASSOCIATE	1599	1660	1719	1784	1842	1905	2006
OFFICE CLERK	1399	1447	1493	1536	1587	1631	1715
OFFICE COORDINATOR	1660	1722	1789	1853	1923	1989	2092
PHOTOGRAPHER I	1800	1875	1944	2023	2098	2170	2291
PHOTOGRAPHER II	2062	2151	2242	2342	2431	2525	2671
PHOTOGRAPHER III	2153	2253	2351	2448	2548	2643	2800
PHOTOGRAPHIC TECHNICIAN I	1800	1875	1944	2023	2098	2170	2291
PHOTOGRAPHIC TECHNICIAN II	2062	2151	2242	2342	2431	2525	2671
PHOTOGRAPHIC TECHNICIAN III	2153	2253	2351	2448	2548	2643	2800
PROCUREMENT REPRESENTATIVE	1660	1722	1789	1853	1923	1989	2092
PROPERTY & SUPPLY CLERK I	1399	1444	1490	1534	1576	1625	1709
PROPERTY & SUPPLY CLERK II	1490	1536	1592	1640	1689	1743	1827
PROPERTY TAX EXAMINER	1660	1722	1789	1853	1923	1989	2092
REHABILITATION CASE COORD	1546	1599	1655	1712	1767	1826	1924
REHABILITATION CASE COORD II	1660	1722	1789	1853	1923	1989	2092
REPRODUCTION SERVICE TECHNICIAN I	1447	1495	1545	1594	1641	1689	1773
REPRODUCTION SERVICE TECH II	1660	1722	1789	1853	1923	1989	2092
REPRODUCTION SERVICE TECH III	1800	1875	1944	2023	2098	2170	2291
SAFETY RESPONSIBILITY ANALYST I	1660	1722	1789	1853	1923	1989	2092
SAFETY RESPONSIBILITY ANALYST II	1885	1965	2039	2123	2201	2284	2412
STOREKEEPER I	1786	1853	1928	1995	2075	2142	2256
STOREKEEPER II	1938	2020	2099	2184	2266	2342	2475
STORES CLERK	1444	1490	1535	1584	1634	1681	1765
SWITCHBOARD OPERATOR I	1399	1447	1493	1536	1587	1631	1715
SWITCHBOARD OPERATOR II	1495	1546	1596	1650	1702	1757	1846
TAX EXAMINER	1660	1722	1789	1853	1923	1989	2092
TAX EXAMINER TRAINEE	1495	1546	1596	1650	1702	1757	1846

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TAXPAYER SERVICE REP I	1495	1546	1596	1650	1702	1757	1846
TAXPAYER SERVICE REP II	1660	1722	1789	1853	1923	1989	2092
TAXPAYER SERVICE REP III	1885	1965	2039	2123	2201	2284	2412
TELECOMMUNICATIONS FIELD ADVISOR	2153	2253	2351	2448	2548	2643	2800
TELECOMMUNICATIONS FIELD ADVISOR LEAD WORKER	2373	2486	2602	2711	2821	2936	3111
TELECOMMUNICATOR	1885	1965	2039	2123	2201	2284	2412
TELECOMMUNICATOR COMMAND CENTER	1967	2050	2138	2224	2309	2397	2533
TELECOMMUNICATOR LEAD WORKER	2062	2151	2242	2342	2431	2525	2671
TELECOMMUNICATOR LEAD WORKER COMMAND CENTER	2153	2253	2351	2448	2548	2643	2800
TELECOMMUNICATOR TRAINEE	1724	1799	1864	1935	2003	2076	2190
VEHICLE PERMIT EVALUATOR	1800	1875	1944	2023	2098	2170	2291
VETERANS SERVICE OFFICER	1800	1875	1944	2023	2098	2170	2291
ASSOC							
Effective: July 1, 1994							
STEPS							
1a	1	2	3	4	5	6	7
Account Clerk I	1447	1490	1540	1591	1642	1690	1740 1826
Account Clerk II	1546	1592	1647	1705	1763	1820	1881 1982
Account Technician I	1724	1776	1853	1920	1993	2063	2138 2256
Account Technician II	1885	1942	2024	2100	2187	2267	2353 2484
Administrative Services Worker Trainee	1324	1364	1401	1441	1489	1532	1574 1647
Aircraft Dispatcher	1885	1942	2024	2100	2187	2267	2353 2484
Aircraft Lead Dispatcher	2062	2124	2216	2309	2412	2504	2601 2751
Audio Visual Technician I	1495	1540	1592	1644	1700	1753	1810 1901
Audio Visual Technician II	1660	1710	1774	1843	1909	1981	2049 2155
Buyer Assistant	1724	1776	1853	1920	1993	2063	2138 2256
Check Issuance Machine Operator	1660	1710	1774	1843	1909	1981	2049 2155
Clerical Trainee							
Communication Dispatcher	1660	1710	1774	1843	1909	1981	2049 2155
Communication Equipment Technician I	2373	2444	2561	2680	2792	2906	3024 3204
Communication Equipment Technician II	2637	2716	2854	2988	3126	3258	3395 3600
Communication Equipment Technician III	2786	2870	3014	3155	3305	3447	3589 3809
Court Reporter	2153	2218	2321	2422	2521	2624	2722 2884
Data Processing Assistant	1495	1540	1592	1644	1700	1753	1810 1901
Data Processing Operator	1399	1441	1490	1538	1582	1635	1680 1766

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Data Processing Operator Trainee	1324	1364	1401	1441	1489	1532	1574	1647
Drafting Worker	1800	1854	1931	2002	2084	2161	2235	2360
Electronic Equipment Installer/ Repairer	1724	1776	1853	1920	1993	2063	2138	2256
Electronic Equipment Installer/ Repairer Leadworker	1885	1942	2024	2100	2187	2267	2353	2484
Electronics Technician	2153	2218	2321	2422	2521	2624	2722	2884
Emergency Response Lead Telecommunicator	1885	1942	2024	2100	2187	2267	2353	2484
Emergency Response Telecommunicator	1724	1776	1853	1920	1993	2063	2138	2256
Engineering Technician II	1967	2026	2112	2202	2291	2378	2469	2609
Engineering Technician III	2262	2330	2438	2549	2655	2766	2877	3047
Executive Secretary I	1800	1854	1931	2002	2084	2161	2235	2360
Graphic Arts Designer	2062	2124	2216	2309	2412	2504	2601	2751
Graphic Arts Technician	1885	1942	2024	2100	2187	2267	2353	2484
Industrial Commission Reporter	2262	2330	2438	2549	2655	2766	2877	3047
Industrial Commission Technician	1800	1854	1931	2002	2084	2161	2235	2360
Insurance Analyst I	1660	1710	1774	1843	1909	1981	2049	2155
Insurance Analyst II	1885	1942	2024	2100	2187	2267	2353	2484
Insurance Analyst Trainee	1546	1592	1647	1705	1763	1820	1881	1982
Intermittent Clerk	8	15	8	39	8	62	8	87
Librarians Aide I	1360	1401	1441	1490	1535	1578	1623	1707
Librarians Aide II	1447	1490	1540	1591	1642	1690	1740	1826
Librarians Aide III	1546	1592	1647	1705	1763	1820	1881	1982
Library Technical Assistant	1724	1776	1853	1920	1993	2063	2138	2256
Licensing Quality Assurance Analyst	1660	1710	1774	1843	1909	1981	2049	2155
Microfilm Laboratory Technician I	1546	1592	1647	1705	1763	1820	1881	1982
Microfilm Laboratory Technician II	1660	1710	1774	1843	1909	1981	2049	2155
Microfilm Operator I	1399	1441	1490	1538	1582	1635	1680	1766
Microfilm Operator II	1495	1540	1592	1644	1700	1753	1810	1901
Microfilm Operator III	1599	1647	1710	1771	1838	1897	1962	2066
Office Aide	1324	1364	1401	1441	1489	1532	1574	1647
Office Assistant	1495	1540	1592	1644	1700	1753	1810	1901
Office Associate	1599	1647	1710	1771	1838	1897	1962	2066
Office Clerk	1399	1441	1490	1538	1582	1635	1680	1766
Office Coordinator	1660	1710	1774	1843	1909	1981	2049	2155
Photographer I	1800	1854	1931	2002	2084	2161	2235	2360
Photographer II	2062	2124	2216	2309	2412	2504	2601	2751
Photographer III	2153	2218	2321	2422	2521	2624	2722	2884
Photographic Technician I	1800	1854	1931	2002	2084	2161	2235	2360
Photographic Technician II	2062	2124	2216	2309	2412	2504	2601	2751
Photographic Technician III	2153	2218	2321	2422	2521	2624	2722	2884

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Procurement Representative	1660	1710	1774	1843	1909	1981	2049	2155
Property & Supply Clerk I	1399	1441	1487	1535	1580	1623	1674	1760
Property & Supply Clerk II	1490	1535	1582	1640	1689	1740	1795	1882
Property Tax Examiner	1660	1710	1774	1843	1909	1981	2049	2155
Rehabilitation Case Coordinator I	1546	1592	1647	1705	1763	1820	1881	1982
Rehabilitation Case Coordinator II	1660	1710	1774	1843	1909	1981	2049	2155
Reproduction Service Technician I	1447	1490	1540	1591	1642	1690	1740	1826
Reproduction Service Technician II	1660	1710	1774	1843	1909	1981	2049	2155
Reproduction Service Technician III	1800	1854	1931	2002	2084	2161	2235	2360
Safety Responsibility Analyst I	1660	1710	1774	1843	1909	1981	2049	2155
Safety Responsibility Analyst II	1885	1942	2024	2100	2187	2267	2353	2484
Storekeeper I	1786	1840	1909	1986	2055	2137	2206	2324
Storekeeper II	1938	1996	2081	2162	2250	2334	2412	2549
Stores Clerk	1444	1487	1535	1581	1632	1683	1731	1818
Switchboard Operator I	1399	1441	1490	1538	1582	1635	1680	1766
Switchboard Operator II	1495	1540	1592	1644	1700	1753	1810	1901
Tax Examiner	1660	1710	1774	1843	1909	1981	2049	2155
Tax Examiner Trainee	1495	1540	1592	1644	1700	1753	1810	1901
Taxpayer Service Representative I	1495	1540	1592	1644	1700	1753	1810	1901
Taxpayer Service Representative II	1660	1710	1774	1843	1909	1981	2049	2155
Taxpayer Service Representative III	1885	1942	2024	2100	2187	2267	2353	2484
Telecommunications Field Advisor	2153	2218	2321	2422	2521	2624	2722	2884
Telecommunications Advisor Lead	2373	2444	2561	2680	2792	2906	3024	3204

## Worker

Telecommunicator	1885	1942	2024	2100	2187	2267	2353	2484
Telecommunicator-Command Center	1967	2026	2112	2202	2291	2378	2469	2609
Telecommunicator Lead Worker	2062	2124	2216	2309	2412	2504	2601	2751
Telecommunicator Lead Worker- Command Center	2153	2218	2321	2422	2521	2624	2722	2884
Telecommunicator Trainee	1724	1776	1853	1920	1993	2063	2138	2256
Vehicle Permit Evaluator	1800	1854	1931	2002	2084	2161	2235	2360
Veterans Service Officer Associate	1800	1854	1931	2002	2084	2161	2235	2360

I/ Entry level step in first year of contract.

Effective: July 1, 1995

## S T E P S

	1b	2	3	4	5	6	7
Account Clerk I	1447	1490	1535	1586	1639	1691	1741
Account Clerk II	1546	1592	1640	1696	1756	1816	1875



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Account Technician I	1724	1776	1829	1909	1978	2053	2125	2202	2324
Account Technician II	1885	1942	2000	2085	2163	2253	2335	2424	2559
Administrative Services Worker	1324	1364	1405	1443	1484	1534	1578	1621	1696
Trainee									
Aircraft Dispatcher	1885	1942	2000	2085	2163	2253	2335	2424	2559
Aircraft Lead Dispatcher	2062	2124	2188	2282	2378	2484	2579	2679	2834
Audio Visual Technician I	1495	1540	1586	1640	1693	1751	1806	1864	1958
Audio Visual Technician II	1660	1710	1761	1827	1898	1966	2040	2110	2220
Buyer Assistant	1724	1776	1829	1909	1978	2053	2125	2202	2324
Check Issuance Machine Operator	1660	1710	1761	1827	1898	1966	2040	2110	2220
Clerical Trainee	TR								
Communication Dispatcher	1660	1710	1761	1827	1898	1966	2040	2110	2220
Communication Equipment	2373	2444	2517	2638	2760	2876	2993	3115	3300
Technician I									
Communication Equipment	2637	2716	2797	2940	3078	3220	3356	3497	3708
Technician II									
Communication Equipment	2786	2870	2956	3104	3250	3404	3550	3697	3923
Technician III									
Court Reporter	2153	2218	2285	2391	2495	2597	2703	2804	2971
Data Processing Assistant	1495	1540	1586	1640	1693	1751	1806	1864	1958
Data Processing Operator	1399	1441	1484	1535	1584	1629	1684	1730	1819
Data Processing Operator Trainee	1324	1364	1405	1443	1484	1534	1578	1621	1696
Drafting Worker	1800	1854	1910	1989	2062	2147	2226	2302	2431
Electronic Equipment Installer/Repairer	1724	1776	1829	1909	1978	2053	2125	2202	2324
Electronic Equipment Installer/Repairer Leadworker	1885	1942	2000	2085	2163	2253	2335	2424	2559
Electronics Technician	2153	2218	2285	2391	2495	2597	2703	2804	2971
Emergency Response Lead	1885	1942	2000	2085	2163	2253	2335	2424	2559
Telecommunicator									
Emergency Response	1724	1776	1829	1909	1978	2053	2125	2202	2324
Telecommunicator									
Engineering Technician II	1967	2026	2087	2175	2268	2360	2449	2543	2687
Engineering Technician III	2262	2330	2400	2511	2625	2735	2849	2963	3138
Executive Secretary I	1800	1854	1910	1989	2062	2147	2226	2302	2431
Graphic Arts Designer	2062	2124	2188	2282	2378	2484	2579	2679	2834
Graphic Arts Technician	1885	1942	2000	2085	2163	2253	2335	2424	2559
Industrial Communication Reporter	2262	2330	2400	2511	2625	2735	2849	2963	3138
Industrial Commission Technician	1800	1854	1910	1989	2062	2147	2226	2302	2431
Insurance Analyst I	1660	1710	1761	1827	1898	1966	2040	2110	2220
Insurance Analyst II	1885	1942	2000	2085	2163	2253	2335	2424	2559

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Insurance Analyst Trainee	1546	1592	1640	1696	1756	1816	1875	1937	2041
Intermittent Clerk	815	839	865	888	913	944	971	998	1044
Library Aide I	1360	1401	1443	1484	1535	1581	1625	1672	1758
Library Aide II	1447	1490	1535	1586	1639	1691	1741	1792	1881
Library Aide III	1546	1592	1640	1696	1756	1816	1875	1937	2041
Library Technical Assistant	1724	1776	1829	1909	1978	2053	2125	2202	2324
Licensing Quality Assurance Analyst	1660	1710	1761	1827	1898	1966	2040	2110	2220
Microfilm Laboratory Technician I	1546	1592	1640	1696	1756	1816	1875	1937	2041
Microfilm Laboratory Technician II	1660	1710	1761	1827	1898	1966	2040	2110	2220
Microfilm Operator I	1399	1441	1484	1535	1584	1629	1684	1730	1819
Microfilm Operator II	1495	1540	1586	1640	1693	1751	1806	1864	1958
Microfilm Operator III	1599	1647	1696	1761	1824	1893	1954	2021	2128
Office Aide	1324	1364	1405	1443	1484	1534	1578	1621	1696
Office Assistant	1495	1540	1586	1640	1693	1751	1806	1864	1958
Office Associate	1599	1647	1696	1761	1824	1893	1954	2021	2128
Office Clerk	1399	1441	1484	1535	1584	1629	1684	1730	1819
Office Coordinator	1660	1710	1761	1827	1898	1966	2040	2110	2220
Photographer I	1800	1854	1910	1989	2062	2147	2226	2302	2431
Photographer II	2062	2124	2188	2282	2378	2484	2579	2679	2834
Photographer III	2153	2218	2285	2391	2495	2597	2703	2804	2971
Photographic Technician I	1800	1854	1910	1989	2062	2147	2226	2302	2431
Photographic Technician II	2062	2124	2188	2282	2378	2484	2579	2679	2834
Photographic Technician III	2153	2218	2285	2391	2495	2597	2703	2804	2971
Procurement Representative	1660	1710	1761	1827	1898	1966	2040	2110	2220
Property & Supply Clerk I	1399	1441	1484	1532	1581	1627	1672	1724	1813
Property & Supply Clerk II	1490	1535	1581	1629	1689	1740	1792	1849	1938
Property Tax Examiner	1660	1710	1761	1827	1898	1966	2040	2110	2220
Rehabilitation Case Coordinator I	1546	1592	1640	1696	1756	1816	1875	1937	2041
Rehabilitation Case Coordinator II	1660	1710	1761	1827	1898	1966	2040	2110	2220
Reproduction Service Technician I	1447	1490	1535	1586	1639	1691	1741	1792	1881
Reproduction Service Technician II	1660	1710	1761	1827	1898	1966	2040	2110	2220
Reproduction Service Technician III	1800	1854	1910	1989	2062	2147	2226	2302	2431
Safety Responsibility Analyst I	1660	1710	1761	1827	1898	1966	2040	2110	2220
Safety Responsibility Analyst II	1885	1942	2000	2085	2163	2253	2335	2424	2559
Storekeeper I	1786	1840	1895	1966	2046	2117	2201	2272	2394
Storekeeper II	1938	1996	2056	2143	2227	2318	2404	2484	2625
Stores Clerk	1444	1487	1532	1581	1628	1681	1733	1783	1873
Switchboard Operator I	1399	1441	1484	1535	1584	1629	1684	1730	1819
Switchboard Operator II	1495	1540	1586	1640	1693	1751	1806	1864	1958
Tax Examiner	1660	1710	1761	1827	1898	1966	2040	2110	2220
Tax Examiner Trainee	1495	1540	1586	1640	1693	1751	1806	1864	1958
Taxpayer Service Representative I	1495	1540	1586	1640	1693	1751	1806	1864	1958



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Taxpayer Service Representative II	1660	1710	1761	1827	1898	1966	2040	2110	2220
Taxpayer Service Representative III	1885	1942	2000	2085	2163	2253	2335	2424	2559
Telecommunications Field Advisor	2153	2218	2285	2391	2495	2597	2703	2804	2971
Telecommunications Advisor Lead	2373	2444	2517	2638	2760	2876	2993	3115	3300
Worker									
Telecommunicator	1885	1942	2000	2085	2163	2253	2335	2424	2559
Telecommunicator-Command Center	1967	2026	2087	2175	2268	2360	2449	2543	2687
Telecommunicator Lead Worker	2062	2124	2188	2282	2378	2484	2579	2679	2834
Telecommunicator Lead Worker-Command Center	2153	2218	2285	2391	2495	2597	2703	2804	2971
Telecommunicator Trainee	1724	1776	1829	1909	1978	2053	2125	2202	2324
Vehicle Permit Evaluator	1800	1854	1910	1989	2062	2147	2226	2302	2431
Veterans Service Officer Associate	1800	1854	1910	1989	2062	2147	2226	2302	2431

2/ Entry level step in second year of contract.

Effective: July 1, 1996

## STEPS

	1c/3/	1b	1a	1	2	3	4	5	6	7
Account Clerk I	1447	1490	1535	1581	1634	1688	1742	1793	1846	1937
Account Clerk II	1346	1592	1640	1689	1747	1809	1870	1931	1995	2102
Account Technician I	1724	1776	1829	1884	1966	2037	2115	2189	2268	2394
Account Technician II	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Administrative Services	1324	1364	1405	1447	1486	1529	1580	1625	1670	1747
<b>Worker Trainee</b>										
Aircraft Dispatcher	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Aircraft Lead Dispatcher	2062	2124	2188	2254	2350	2449	2559	2656	2759	2919
Audio Visual Technician I	1495	1540	1586	1634	1689	1744	1804	1860	1920	2017
Audio Visual Technician II	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Buyer Assistant	1724	1776	1829	1884	1966	2037	2115	2189	2268	2394
Check Issuance Machine	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
<b>Operator</b>										
Clerical Trainee	<b>TR</b>									
Communication Dispatcher	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Communication Equipment Technician I	2373	2444	2517	2593	2717	2843	2962	3083	3208	3359
Communication Equipment Technician II	2637	2716	2797	2881	3028	3170	3317	3457	3602	3819
Communication Equipment Technician III	2786	2870	2956	3045	3197	3348	3506	3657	3808	4041
Court Reporter	2153	2218	2285	2354	2463	2570	2675	2784	2888	3060

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Data Processing Assistant	1495	1540	1586	1634	1689	1744	1804	1860	1920	2017
Data Processing Operator	1399	1441	1484	1529	1581	1632	1678	1735	1782	1874
Data Processing Operator	1324	1364	1405	1447	1486	1529	1580	1625	1670	1747
Trance										
Drafting Worker	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504
Electronic Equipment	1724	1776	1829	1884	1966	2037	2115	2189	2268	2394
Installer/Repairer										
Electronic Equipment	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Installer/Repairer Leadworker										
Electronics Technician	2153	2218	2285	2354	2463	2570	2675	2784	2888	3060
Emergency Response Lead	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Telecommunicator										
Emergency Response	1724	1776	1829	1884	1966	2037	2115	2189	2268	2394
Telecommunicator										
Engineering Technician II	1967	2026	2087	2150	2240	2336	2431	2522	2619	2768
Engineering Technician III	2262	2330	2400	2472	2586	2704	2817	2934	3052	3232
Executive Secretary I	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504
Graphic Arts Designer	2062	2124	2188	2254	2350	2449	2559	2656	2759	2919
Graphic Arts Technician	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Industrial Commission Reporter	2262	2330	2400	2472	2586	2704	2817	2934	3052	3232
Industrial Commission	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504
Technician										
Insurance Analyst I	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Insurance Analyst II	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Insurance Analyst Trainee	1546	1592	1640	1689	1747	1809	1870	1931	1995	2102
Intermittent Clerk	8.15	8.39	8.65	8.90	9.14	9.41	9.72	10.00	10.28	10.75
Librari Aide I	1360	1401	1443	1486	1529	1581	1628	1674	1722	1811
Librari Aide II	1447	1490	1535	1581	1634	1688	1742	1793	1846	1937
Librari Aide III	1546	1592	1640	1689	1747	1809	1870	1931	1995	2102
Librari Technical Assistant	1724	1776	1829	1884	1966	2037	2115	2189	2268	2394
Licensing Quality Assurance	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Analyst										
Microfilm Laboratory	1546	1592	1640	1689	1747	1809	1870	1931	1995	2102
Technician I										
Microfilm Laboratory	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Technician II										
Microfilm Operator I	1399	1441	1484	1529	1581	1632	1678	1735	1782	1874
Microfilm Operator II	1495	1540	1586	1634	1689	1744	1804	1860	1920	2017
Microfilm Operator III	1599	1647	1696	1747	1814	1879	1950	2013	2082	2192
Office Aide	1324	1364	1405	1447	1486	1529	1580	1625	1670	1747
Office Assistant	1495	1540	1586	1634	1689	1744	1804	1860	1920	2017
Office Associate	1599	1647	1696	1747	1814	1879	1950	2013	2082	2192
Office Clerk	1399	1441	1484	1529	1581	1632	1678	1735	1782	1874

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Office Coordinator	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Photographer I	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504
Photographer II	2062	2124	2188	2254	2330	2449	2559	2656	2759	2919
Photographer III	2153	2218	2285	2354	2463	2570	2675	2784	2888	3060
Photographic Technician I	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504
Photographic Technician II	2062	2124	2188	2254	2330	2449	2559	2656	2759	2919
Photographic Technician III	2153	2218	2285	2354	2463	2570	2675	2784	2888	3060
Procurement Representative	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Property & Supply Clerk I	1399	1441	1484	1529	1578	1628	1676	1722	1776	1867
Property & Supply Clerk II	1490	1535	1581	1628	1678	1740	1792	1846	1904	1996
Property Tax Examiner	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Rehabilitation Case	1546	1592	1640	1689	1747	1809	1870	1931	1995	2102
Coordinator I										
Rehabilitation Case	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Coordinator II										
Reproduction Service	1447	1490	1535	1581	1634	1688	1742	1793	1846	1937
Technician I										
Reproduction Service	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Technician II										
Reproduction Service	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504
Technician III										
Safety Responsibility	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Analyst I										
Safety Responsibility	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Analyst II										
Storekeeper I	1786	1840	1895	1952	2025	2107	2181	2267	2340	2466
Storekeeper II	1938	1996	2056	2118	2207	2294	2388	2476	2559	2704
Stores Clerk	1444	1487	1532	1578	1628	1677	1731	1785	1836	1929
Switchboard Operator I	1399	1441	1484	1529	1581	1632	1678	1735	1782	1874
Switchboard Operator II	1495	1540	1586	1634	1689	1744	1804	1860	1920	2017
Tax Examiner	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Tax Examiner Trainee	1495	1540	1586	1634	1689	1744	1804	1860	1920	2017
Taxpayer Service	1495	1540	1586	1634	1689	1744	1804	1860	1920	2017
Representative I										
Taxpayer Service	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Representative II										
Taxpayer Service	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Representative III										
Telecommunications Field	2153	2218	2285	2354	2463	2570	2675	2784	2888	3060
Advisor										
Telecommunications Advisor	2373	2444	2517	2593	2717	2843	2962	3083	3208	3399
Lead Worker										
Telecommunicator	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636

3/ Entry level step in third year of contract.

(Source: Peremptory amendment at 18 Ill. Reg. \_\_\_\_\_, effective JUN 13 1994 )

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Telecommunicator-Command Center	1967	2026	2087	2150	2240	2336	2431	2522	2619	2768
Telecommunicator Lead Worker	2062	2124	2188	2254	2350	2449	2559	2656	2759	2919
Telecommunicator Lead Worker-Command Center	2153	2218	2285	2354	2463	2570	2675	2784	2888	3060
Telecommunicator Trainee	1724	1776	1829	1884	1966	2037	2115	2189	2268	2394
Vehicle Permit Evaluator	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504
Veterans Service Officer Associate	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

## Section 310. Appendix A. Negotiated Rates of Pay

TABLE N RC-010 (Professional Legal Unit, AFSCME)

Effective July 1, 1992

## S-T-E-P-S

	1	2	3	4	5	6	7
TECHNICAL ADVISOR I	2216	2322	2429	2531	2634	2741	2905
TECHNICAL ADVISOR II	2462	2587	2709	2833	2953	3077	3264
TECHNICAL ADVISOR III	2904	3055	3205	3355	3510	3657	3884
HEARINGS REFEREE	2904	3055	3205	3355	3510	3657	3884
HEARINGS REFEREE INTERMITTENT	2904	3055	3205	3355	3510	3657	3884

Effective January 1, 1993

## S-T-E-P-S

	1	2	3	4	5	6	7
TECHNICAL ADVISOR I	2260	2368	2478	2582	2687	2796	2963
TECHNICAL ADVISOR II	2511	2639	2763	2890	3012	3139	3329
TECHNICAL ADVISOR III	2962	3116	3269	3422	3580	3730	3962
HEARINGS REFEREE	2962	3116	3269	3422	3580	3730	3962
HEARINGS REFEREE INTERMITTENT	2962	3116	3269	3422	3580	3730	3962

Effective July 1, 1993

## S-T-E-P-S

	1	2	3	4	5	6	7
TECHNICAL ADVISOR I	2373	2486	2602	2711	2821	2936	3114
TECHNICAL ADVISOR II	2637	2771	2901	3035	3163	3296	3495
TECHNICAL ADVISOR III	3110	3272	3432	3593	3759	3917	4160
HEARINGS REFEREE	3110	3272	3432	3593	3759	3917	4160
HEARINGS REFEREE INTERMITTENT	3110	3272	3432	3593	3759	3917	4160

Effective July 1, 1994

## S-T-E-P-S

	1a	1	2	3	4	5	6	7
Hearings Referee	3110	3203	3370	3535	3701	3872	4035	4285

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Hearings Referee - Intermittent	19.14	19.71	20.74	21.75	22.78	23.83	24.83	26.37
Technical Advisor I	2373	2444	2561	2680	2792	2906	3024	3204
Technical Advisor II	2637	2716	2854	2988	3126	3258	3395	3600
Technical Advisor III	3110	3203	3370	3535	3701	3872	4035	4285

1/ Entry level step in first year of contract.

Effective July 1, 1995

## S-T-E-P-S

	1b	2/	1a	1	2	3	4	5	6	7
Hearings Referee	3110	3203	3299	3471	3641	3812	3988	4156	4414	
Hearings Referee - Intermittent	19.14	19.71	20.30	21.36	22.41	23.46	24.54	25.58	27.16	
Technical Advisor I	2373	2444	2517	2638	2760	2876	2993	3115	3300	
Technical Advisor II	2637	2716	2797	2940	3078	3220	3356	3497	3708	
Technical Advisor III	3110	3203	3299	3471	3641	3812	3988	4156	4414	

2/ Entry level step in second year of contract.

Effective July 1, 1996

## S-T-E-P-S

	1c	3/	1b	1a	1	2	3	4	5	6	7
Hearings Referee	3110	3203	3299	3398	3575	3750	3926	4108	4281	4546	
Hearings Referee - Intermittent	19.14	19.71	20.30	20.91	22.00	23.08	24.16	25.28	26.34	27.98	
Technical Advisor I	2373	2444	2517	2593	2717	2843	2962	3083	3208	3399	
Technical Advisor II	2637	2716	2797	2881	3028	3170	3317	3457	3602	3819	
Technical Advisor III	3110	3203	3299	3398	3575	3750	3926	4108	4281	4546	

3/ Entry level step in third year of contract.

(Source: Peremptory amendment at 18 Ill. Reg. \_\_\_\_\_, effective JUN 13 1994)



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Section 310. Appendix A Negotiated Rates of Pay

TABLE O RC-028 (Paraprofessional Human Services Employees, AFSCME)

Effective: July 1, 1992

	S T E P S					
	1	2	3	4	5	6
APPAREL DRY GOODS SPECIALIST III	1657	1730	1796	1864	1931	2000-2112
ASSISTANT REIMBURSEMENT OFFICER	1443	1493	1545	1598	1650	1705-1796
CHILD DEVELOPMENT AIDE III	1610	1679	1740	1807	1871	1938-2045
CLINICAL LABORATORY ASSOCIATE	1443	1493	1545	1598	1650	1705-1796
CLINICAL LABORATORY TECH I	1610	1679	1740	1807	1871	1938-2045
CLINICAL LABORATORY TECH II	1760	1834	1904	1982	2055	2132-2252
COMPLIANCE OFFICER	1836	1914	1996	2076	2156	2238-2365
CONSERVATION RESOURCE TECH I	1610	1679	1740	1807	1871	1938-2045
CONSERVATION RESOURCE TECH II	1836	1914	1996	2076	2156	2238-2365
CONSTRUCTION SUPERVISOR I	1836	1914	1996	2076	2156	2238-2365
CONSTRUCTION SUPERVISOR II	2112	2210	2311	2407	2507	2608-2762
CRIME SCENE TECHNICIAN	2335	2449	2563	2678	2789	2900-3072
CRIME STUDIES ASSOCIATE	1610	1679	1740	1807	1871	1938-2045
DATA PROCESSING ADMINISTRATIVE SPECIALIST	1925	2009	2093	2186	2270	2358-2494
DATA PROCESSING SPECIALIST	1760	1834	1904	1982	2055	2132-2252
DATA PROCESSING TECHNICIAN I	1550	1608	1671	1730	1795	1857-1953
DATA PROCESSING TECHNICIAN II	1396	1443	1490	1540	1589	1640-1724
DENTAL ASSISTANT	1396	1443	1490	1540	1589	1640-1724
DENTAL HYGIENIST	1610	1679	1740	1807	1871	1938-2045
ELECTROENCEPHALOGRAPH TECHNICIAN	1493	1550	1605	1666	1720	1778-1873
ENVIRONMENTAL EQUIPMENT OPER I	1760	1834	1904	1982	2055	2132-2252
ENVIRONMENTAL EQUIPMENT OPER II	1925	2009	2093	2186	2270	2358-2494
ENVIRONMENTAL PROTECTION TECH I	1493	1550	1605	1666	1720	1778-1873

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

ENVIRONMENTAL PROTECTION TECH II	1610	1679	1740	1807	1871	1938-2045
HEARING & SPEECH TECHNICIAN I	1396	1443	1490	1540	1589	1640-1724
HEARING & SPEECH TECHNICIAN II	1550	1608	1671	1730	1795	1857-1953
HISTORIC SITE INTERPRETER	1550	1608	1671	1730	1795	1857-1953
HISTORIC SITE LEAD I	1836	1914	1996	2076	2156	2238-2365
HISTORIC SITE LEAD II	1925	2009	2093	2186	2270	2358-2494
HOUSEKEEPER II	1306	1348	1391	1432	1472	1518-1596
INHALATION THERAPIST	1493	1550	1605	1666	1720	1778-1873
INTERMITTENT UNEMPLOYMENT INSURANCE TECHNICIAN	8.59	8.88	9.17	9.48	9.78	10.09-10.61
LABORATORY ASSISTANT	1306	1351	1394	1434	1481	1523-1601
LABORATORY ASSOCIATE I	1610	1679	1740	1807	1871	1938-2045
LABORATORY ASSOCIATE II	1760	1834	1904	1982	2055	2132-2252
LEGAL RESEARCH ASSISTANT*	1836	1914	1996	2076	2156	2238-2365
LICENSED PRACTICAL NURSE I	1554	1614	1676	1740	1808	1878-1973
LICENSED PRACTICAL NURSE II	1630	1693	1760	1828	1898	1971-2071
MEDICAL RECORDS ASSISTANT	1550	1608	1671	1730	1795	1857-1953
MEDICAL RECORDS TECHNICIAN	1680	1751	1815	1889	1959	2026-2139
OFFICE ADMINISTRATIVE SPECIALIST	1760	1834	1904	1982	2055	2132-2252
OFFICE SPECIALIST	1680	1751	1815	1889	1959	2026-2139
PHARMACIST LEAD	1493	1550	1605	1666	1720	1778-1873
PHARMACIST TECHNICIAN	1396	1443	1490	1540	1589	1640-1724
PUBLIC AID ELIGIBILITY ASSISTANT	1493	1550	1605	1666	1720	1778-1873
RADIOLOGIC TECHNOLOGIST	1680	1751	1815	1889	1959	2026-2139
RADIOLOGIC TECHNOLOGIST PROGRAM COORDINATOR	1760	1834	1904	1982	2055	2132-2252
RANGER	1836	1914	1996	2076	2156	2238-2365
REHABILITATION COUNSELOR AIDE I	1550	1608	1671	1730	1795	1857-1953
REHABILITATION COUNSELOR AIDE II	1680	1751	1815	1889	1959	2026-2139
SENIOR RANGER	1925	2009	2093	2186	2270	2358-2494
SITE TECHNICIAN I	1610	1679	1740	1807	1871	1938-2045
SITE TECHNICIAN II	1760	1834	1904	1982	2055	2132-2252
SOCIAL SERVICE COMMUNITY PLANNER	1680	1751	1815	1889	1959	2026-2139

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

NOTICE OF PEREMPTORY AMENDMENTS

STATISTICAL RESEARCH 1680-1751-1815-1889-1959-2026-2139  
TECHNICIAN  
VETERANS SERVICE OFFICER 1760-1834-1904-1982-2055-2132-2252  
VOCATIONAL INSTRUCTOR 1760-1834-1904-1982-2055-2132-2252

\*DEPT. OF EMPLOYMENT SECURITY DESIGNATED POSITIONS ONLY

Effective: January 1, 1993

APPEL DRY GOODS 1690-1765-1832-1901-1970-2040-2154  
SPECIALIST III  
ASSISTANT REIMBURSEMENT 1472-1523-1576-1630-1683-1739-1832  
OFFICER  
CHILD DEVELOPMENT AIDE III 1642-1713-1775-1843-1908-1977-2086  
CLINICAL LABORATORY 1472-1523-1576-1630-1683-1739-1832  
ASSOCIATE  
CLINICAL LABORATORY TECH I 1642-1713-1775-1843-1908-1977-2086  
CLINICAL LABORATORY TECH II 1795-1871-1942-2022-2096-2175-2297  
COMPLIANCE OFFICER 1873-1952-2036-2118-2199-2283-2412  
CONSERVATION RESOURCE 1642-1713-1775-1843-1908-1977-2086  
TECH I  
CONSERVATION RESOURCE 1873-1952-2036-2118-2199-2283-2412  
TECH II

CONSTRUCTION SUPERVISOR I 1873-1952-2036-2118-2199-2283-2412  
CONSTRUCTION SUPERVISOR II 2154-2254-2357-2455-2557-2660-2817  
CRIME SCENE TECHNICIAN 2382-2498-2614-2732-2845-2958-3133  
CRIME STUDIES ASSOCIATE 1642-1713-1775-1843-1908-1977-2086  
DATA PROCESSING 1964-2049-2135-2230-2315-2405-2544  
ADMINISTRATIVE SPECIALIST  
DATA PROCESSING SPECIALIST 1795-1871-1942-2022-2096-2175-2297  
DATA PROCESSING TECHNICIAN I 1640-1704-1765-1831-1894-1992  
DATA PROCESSING TECHNICIAN II 1424-1472-1520-1571-1621-1673-1758  
TRN  
DENTAL ASSISTANT 1424-1472-1520-1571-1621-1673-1758  
DENTAL HYGIENIST 1642-1713-1775-1843-1908-1977-2086  
ELECTROENCEPHALOGRAPHIC 1523-1581-1637-1699-1754-1814-1910  
TECHNICIAN  
ENVIRONMENTAL EQUIPMENT 1795-1871-1942-2022-2096-2175-2297  
OPR I  
ENVIRONMENTAL EQUIPMENT 1964-2049-2135-2230-2315-2405-2544  
OPR II

ENVIRONMENTAL PROTECTION 1523-1581-1637-1699-1754-1814-1910  
TECH I  
ENVIRONMENTAL PROTECTION 1642-1713-1775-1843-1908-1977-2086  
TECH II  
HEARING & SPEECH 1424-1472-1520-1571-1621-1673-1758  
TECHNICIAN  
HEARING & SPEECH 1581-1640-1704-1765-1831-1894-1992  
TECHNICIAN II  
HISTORIC SITE INTERPRETER 1581-1640-1704-1765-1831-1894-1992  
HISTORIC SITE LEAD I 1873-1952-2036-2118-2199-2283-2412  
HISTORIC SITE LEAD II 1964-2049-2135-2230-2315-2405-2544  
HOUSEKEEPER II 1332-1375-1419-1461-1501-1548-1628  
INHALATION THERAPIST 1523-1581-1637-1699-1754-1814-1910  
INTERMITTENT UNEMPLOY 8-76-9-06-9-35-9-67-9-98-10-30-10-82  
MENT INSURANCE TECHNICIAN  
LABORATORY ASSISTANT 1332-1378-1422-1463-1511-1553-1633  
LABORATORY ASSOCIATE I 1642-1713-1775-1843-1908-1977-2086  
LABORATORY ASSOCIATE II 1795-1871-1942-2022-2096-2175-2297  
LEGAL RESEARCH ASSISTANT\* 1873-1952-2036-2118-2199-2283-2412  
LICENSED PRACTICAL NURSE I 1585-1646-1710-1775-1844-1916-2012  
LICENSED PRACTICAL NURSE II 1663-1727-1795-1865-1936-2010-2112  
MEDICAL RECORDS ASSISTANT 1581-1640-1704-1765-1831-1894-1992  
MEDICAL RECORDS 1714-1786-1851-1927-1998-2067-2182  
TECHNICIAN  
OFFICE ADMINISTRATIVE 1795-1871-1942-2022-2096-2175-2297  
SPECIALIST  
OFFICE SPECIALIST 1714-1786-1851-1927-1998-2067-2182  
PHARMACIST LEAD 1523-1581-1637-1699-1754-1814-1910  
TECHNICIAN  
PHARMACIST TECHNICIAN 1424-1472-1520-1571-1621-1673-1758  
PUBLIC AID ELIGIBILITY 1523-1581-1637-1699-1754-1814-1910  
ASSISTANT  
RADIOLOGIC TECHNOLOGIST 1714-1786-1851-1927-1998-2067-2182  
RADIOLOGIC TECHNOLOGIST 1795-1871-1942-2022-2096-2175-2297  
PROGRAM COORDINATOR  
RANGER 1873-1952-2036-2118-2199-2283-2412  
REHABILITATION COUNSELOR 1581-1640-1704-1765-1831-1894-1992  
AIDE I  
REHABILITATION COUNSELOR 1714-1786-1851-1927-1998-2067-2182  
AIDE II  
SENIOR RANGER 1964-2049-2135-2230-2315-2405-2544



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

SITE TECHNICIAN I 1642-1713-1775-1843-1908-1977-2086  
 SITE TECHNICIAN II 1795-1871-1942-2022-2096-2175-2297  
 SOCIAL SERVICE COMMUNITY 1714-1786-1851-1927-1998-2067-2182  
 PLANNER  
 STATISTICAL RESEARCH 1714-1786-1851-1927-1998-2067-2182  
 TECHNICIAN  
 VETERANS SERVICE OFFICER 1795-1871-1942-2022-2096-2175-2297  
 VOCATIONAL INSTRUCTOR 1795-1871-1942-2022-2096-2175-2297

\*DEPT. OF EMPLOYMENT SECURITY DESIGNATED POSITIONS ONLY

Effective: July 1, 1993

S T E P S  
 1 2 3 4 5 6 7

APPAREL DRY GOODS 1775-1853-1924-1996-2069-2142-2262  
 SPECIALIST III  
 ASSISTANT REIMBURSEMENT 1546-1599-1655-1712-1767-1826-1924  
 OFFICER  
 CHILD DEVELOPMENT AIDE III 1724-1799-1864-1935-2003-2076-2190  
 CLINICAL LABORATORY 1546-1599-1655-1712-1767-1826-1924  
 ASSOCIATE  
 CLINICAL LABORATORY TECH I 1724-1799-1864-1935-2003-2076-2190  
 CLINICAL LABORATORY TECH II 1885-1965-2039-2123-2201-2284-2412  
 COMPLIANCE OFFICER 1967-2050-2138-2224-2309-2397-2533  
 CONSERVATION RESOURCE 1724-1799-1864-1935-2003-2076-2190  
 TECH I  
 CONSERVATION RESOURCE 1967-2050-2138-2224-2309-2397-2533  
 TECH II  
 CONSTRUCTION SUPERVISOR I 1967-2050-2138-2224-2309-2397-2533  
 CONSTRUCTION SUPERVISOR II 2262-2367-2475-2578-2685-2793-2958  
 CRIME SCENE TECHNICIAN 2501-2623-2745-2869-2987-3106-3290  
 CRIME STUDIES ASSOCIATE 1724-1799-1864-1935-2003-2076-2190  
 DATA PROCESSING 2062-2151-2242-2342-2431-2525-2671  
 ADMINISTRATIVE SPECIALIST  
 DATA PROCESSING SPECIALIST 1885-1965-2039-2123-2201-2284-2412  
 DATA PROCESSING TECHNICIAN 1660-1722-1789-1853-1923-1989-2092  
 DATA PROCESSING TECHNICIAN 1495-1546-1596-1650-1702-1757-1846  
 TRN  
 DENTAL ASSISTANT 1495-1546-1596-1650-1702-1757-1846  
 DENTAL HYGIENIST 1724-1799-1864-1935-2003-2076-2190

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

ELECTROENCEPHALOGRAPH 1599-1660-1719-1784-1842-1905-2006  
 TECHNICIAN  
 ENVIRONMENTAL EQUIPMENT 1885-1965-2039-2123-2201-2284-2412  
 OPR I  
 ENVIRONMENTAL EQUIPMENT 2062-2151-2242-2342-2431-2525-2671  
 OPR II  
 ENVIRONMENTAL PROTECTION 1599-1660-1719-1784-1842-1905-2006  
 TECH I  
 ENVIRONMENTAL PROTECTION 1724-1799-1864-1935-2003-2076-2190  
 TECH II  
 HEARING & SPEECH 1495-1546-1596-1650-1702-1757-1846  
 TECHNICIAN I  
 HEARING & SPEECH 1660-1722-1789-1853-1923-1989-2092  
 TECHNICIAN II  
 HISTORIC SITE INTERPRETER 1660-1722-1789-1853-1923-1989-2092  
 HISTORIC SITE LEAD I 1967-2050-2138-2224-2309-2397-2533  
 HISTORIC SITE LEAD II 2062-2151-2242-2342-2431-2525-2671  
 HOUSEKEEPER II 1399-1444-1490-1534-1576-1625-1709  
 INHALATION THERAPIST 1599-1660-1719-1784-1842-1905-2006  
 INTERMITTENT UNEMPLOY 920-951-982-1015-1047-1081-1136  
 MENT INSURANCE TECHNICIAN  
 LABORATORY ASSISTANT 1399-1447-1493-1536-1587-1631-1715  
 LABORATORY ASSOCIATE I 1724-1799-1864-1935-2003-2076-2190  
 LABORATORY ASSOCIATE II 1885-1965-2039-2123-2201-2284-2412  
 LEGAL RESEARCH ASSISTANT\* 1967-2050-2138-2224-2309-2397-2533  
 LICENSED PRACTICAL NURSE I 1664-1728-1796-1864-1936-2012-2113  
 LICENSED PRACTICAL NURSE II 1746-1813-1885-1958-2033-2111-2218  
 MEDICAL RECORDS ASSISTANT 1660-1722-1789-1853-1923-1989-2092  
 MEDICAL RECORDS 1800-1875-1944-2023-2098-2170-2291  
 TECHNICIAN  
 OFFICE ADMINISTRATIVE 1885-1965-2039-2123-2201-2284-2412  
 SPECIALIST  
 OFFICE SPECIALIST 1800-1875-1944-2023-2098-2170-2291  
 PHARMACIST LEAD 1599-1660-1719-1784-1842-1905-2006  
 TECHNICIAN  
 PHARMACIST TECHNICIAN 1495-1546-1596-1650-1702-1757-1846  
 PUBLIC AID ELIGIBILITY 1599-1660-1719-1784-1842-1905-2006  
 ASSISTANT  
 RADIOLOGIC TECHNOLOGIST 1800-1875-1944-2023-2098-2170-2291  
 RADIOLOGIC TECHNOLOGIST 1885-1965-2039-2123-2201-2284-2412  
 PROGRAM COORDINATOR  
 RANGER 1967-2050-2138-2224-2309-2397-2533



DEPARTMENT OF CENTRAL MANAGEMENT SERVICES  
NOTICE OF PEREMPTORY AMENDMENTS

Environmental Equipment Operator II	2062	2124	2216	2309	2412	2504	2601	2751
Environmental Protection Technician I	1599	1647	1710	1771	1838	1897	1962	2066
Environmental Protection Technician II	1724	1776	1853	1920	1993	2063	2138	2256
Hearing & Speech Technician I	1495	1540	1592	1644	1700	1753	1810	1901
Hearing & Speech Technician II	1660	1710	1774	1843	1909	1981	2049	2155
Historic Site Interpreter	1660	1710	1774	1843	1909	1981	2049	2155
Historic Site Lead I	1967	2026	2112	2202	2291	2378	2469	2609
Historic Site Lead II	2062	2124	2216	2309	2412	2504	2601	2751
Housekeeper II	1399	1441	1487	1535	1580	1623	1674	1760
Inhalation Therapist	1599	1647	1710	1771	1838	1897	1962	2066
Intermittent Unemployment Insurance Technician	920	948	980	1012	1046	1079	1114	1170
Laboratory Assistant	1399	1441	1490	1538	1582	1635	1680	1766
Laboratory Associate I	1724	1776	1853	1920	1993	2063	2138	2256
Laboratory Associate II	1885	1942	2024	2100	2187	2267	2353	2484
Legal Research Assistant*	1967	2026	2112	2202	2291	2378	2469	2609
Licensed Practical Nurse I	1664	1714	1780	1850	1920	1994	2072	2176
Licensed Practical Nurse II	1746	1798	1867	1942	2017	2094	2174	2285
Medical Records Assistant	1660	1710	1774	1843	1909	1981	2049	2155
Medical Records Technician	1800	1854	1931	2002	2084	2161	2235	2360
Office Administrative Specialist	1885	1942	2024	2100	2187	2267	2353	2484
Office Specialist	1800	1854	1931	2002	2084	2161	2235	2360
Pharmacist Lead Technician	1599	1647	1710	1771	1838	1897	1962	2066
Pharmacist Technician	1495	1540	1592	1644	1700	1753	1810	1901
Public Aid Eligibility Assistant	1599	1647	1710	1771	1838	1897	1962	2066
Radiologic Technologist	1800	1854	1931	2002	2084	2161	2235	2360
Radiologic Technologist Program Coordinator	1885	1942	2024	2100	2187	2267	2353	2484
Ranger	1967	2026	2112	2202	2291	2378	2469	2609
Rehabilitation Counselor Aide I	1660	1710	1774	1843	1909	1981	2049	2155
Rehabilitation Counselor Aide II	1800	1854	1931	2002	2084	2161	2235	2360
Senior Ranger	2062	2124	2216	2309	2412	2504	2601	2751
Site Technician I	1724	1776	1853	1920	1993	2063	2138	2256
Site Technician II	1885	1942	2024	2100	2187	2267	2353	2484
Social Service Community Planner	1800	1854	1931	2002	2084	2161	2235	2360
Statistical Research Technician	1800	1854	1931	2002	2084	2161	2235	2360
Veterans Service Officer	1885	1942	2024	2100	2187	2267	2353	2484
Vocational Instructor	1885	1942	2024	2100	2187	2267	2353	2484

1/ Entry level step in first year of contract

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES  
NOTICE OF PEREMPTORY AMENDMENTS

REHABILITATION-COUNSELOR	1660	1722	1789	1853	1923	1989	2092
AIDE I	1800	1875	1944	2023	2098	2170	2291
AIDE II	2062	2151	2242	2342	2431	2525	2671
SENIOR-RANGER	1724	1799	1864	1935	2003	2076	2190
SITE-TECHNICIAN I	1885	1965	2039	2123	2201	2284	2412
SITE-TECHNICIAN II	1800	1875	1944	2023	2098	2170	2291
SOCIAL-SERVICE-COMMUNITY-PLANNER	1800	1875	1944	2023	2098	2170	2291
STATISTICAL-RESEARCH-TECHNICIAN	1885	1965	2039	2123	2201	2284	2412
VETERANS-SERVICE-OFFICER	1885	1965	2039	2123	2201	2284	2412
VOCATIONAL-INSTRUCTOR	1885	1965	2039	2123	2201	2284	2412

\*DEPT. OF EMPLOYMENT SECURITY DESIGNATED POSITIONS ONLY

Effective: July 1, 1994

S T E P S							
1a.1/	1	2	3	4	5	6	7
Apparel Dr. Goods Specialist III	1775	1828	1909	1982	2056	2131	2206
Assistant Reimbursement Officer	1546	1592	1647	1705	1763	1820	1881
Child Development Aide III	1724	1776	1853	1920	1993	2063	2138
Clinical Laboratory Associate	1546	1592	1647	1705	1763	1820	1881
Clinical Laboratory Technician I	1724	1776	1853	1920	1993	2063	2138
Clinical Laboratory Technician II	1885	1942	2024	2100	2187	2267	2353
Compliance Officer	2062	2124	2216	2309	2412	2504	2601
Conservation Resource Technician I	1724	1776	1853	1920	1993	2063	2138
Conservation Resource Technician II	1967	2026	2112	2202	2291	2378	2469
Construction Supervisor I	1967	2026	2112	2202	2291	2378	2469
Construction Supervisor II	2262	2330	2438	2549	2655	2766	2877
Crime Scene Technician	2942	3030	3186	3340	3495	3654	3806
Crime Studies Associate	1724	1776	1853	1920	1993	2063	2138
Data Processing Administrative Specialist	2062	2124	2216	2309	2412	2504	2601
Data Processing Specialist	1885	1942	2024	2100	2187	2267	2353
Data Processing Technician	1660	1710	1774	1843	1909	1981	2049
Data Processing Technician Trainee	1495	1540	1592	1644	1700	1753	1810
Dental Assistant	1546	1592	1647	1705	1763	1820	1881
Dental Hygienist	1885	1942	2024	2100	2187	2267	2353
Electroencephalograph Technician	1599	1647	1710	1771	1838	1897	1962
Environmental Equipment Operator I	1885	1942	2024	2100	2187	2267	2353

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Effective: July 1, 1995

lb 2/	S T E P S						
	1a	1	2	3	4	5	6
Apparel Dry Goods Specialist III	1775	1828	1883	1966	2041	2118	2195
Assistant Reimbursement Officer	1546	1592	1640	1696	1756	1816	1875
Child Development Aide III	1724	1776	1829	1909	1978	2053	2125
Clinical Laboratory Associate	1546	1592	1640	1696	1756	1816	1875
Clinical Laboratory Technician I	1724	1776	1829	1909	1978	2053	2125
Clinical Laboratory Technician II	1885	1942	2000	2085	2163	2253	2335
Compliance Officer	2062	2124	2188	2282	2378	2484	2579
Conservation Resource Technician I	1724	1776	1829	1909	1978	2053	2125
Conservation Resource Technician II	1967	2026	2087	2175	2268	2360	2449
Construction Supervisor I	1967	2026	2087	2175	2268	2360	2449
Construction Supervisor II	2262	2330	2400	2511	2625	2735	2849
Crime Scene Technician	2942	3030	3121	3282	3440	3600	3764
Crime Studies Associate	1724	1776	1829	1909	1978	2053	2125
Data Processing Administrative Specialist	2062	2124	2188	2282	2378	2484	2579
Data Processing Specialist	1885	1942	2000	2085	2163	2253	2335
Data Processing Technician	1660	1710	1761	1827	1898	1966	2040
Data Processing Technician Trainee	1495	1540	1586	1640	1693	1751	1806
Dental Assistant	1546	1592	1640	1696	1756	1816	1875
Dental Hygienist	1885	1942	2000	2085	2163	2253	2335
Electroencephalograph Technician	1599	1647	1696	1761	1824	1893	1954
Environmental Equipment Operator I	1885	1942	2000	2085	2163	2253	2335
Environmental Equipment Operator II	2062	2124	2188	2282	2378	2484	2579
Environmental Protection Technician I	1599	1647	1696	1761	1824	1893	1954
Environmental Protection Technician II	1724	1776	1829	1909	1978	2053	2125
Hearing & Speech Technician I	1495	1540	1586	1640	1693	1751	1806
Hearing & Speech Technician II	1660	1710	1761	1827	1898	1966	2040
Historic Site Interpreter	1660	1710	1761	1827	1898	1966	2040
Historic Site Lead I	1967	2026	2087	2175	2268	2360	2449
Historic Site Lead II	2062	2124	2188	2282	2378	2484	2579
Housekeeper II	1399	1441	1484	1532	1581	1627	1672
Inhalation Therapist	1599	1647	1696	1761	1824	1893	1954
Intermittent Unemployment Insurance Technician	9	20	9	48	9	76	10
Laboratory Assistant	1399	1441	1484	1535	1584	1629	1684
Laboratory Associate I	1724	1776	1829	1909	1978	2053	2125

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Laboratory Associate II	1885	1942	2000	2085	2163	2253	2335	2424	2559
Legal Research Assistant*	1967	2026	2087	2175	2268	2360	2449	2543	2687
Licensed Practical Nurse I	1709	1760	1813	1880	1956	2027	2107	2175	2291
Licensed Practical Nurse II	1792	1846	1901	1985	2059	2140	2218	2298	2446
Medical Records Assistant	1660	1710	1761	1827	1898	1966	2040	2110	2220
Medical Records Technician	1800	1854	1910	1989	2062	2147	2226	2302	2431
Office Administrative Specialist	1885	1942	2000	2085	2163	2253	2335	2424	2559
Office Specialist	1800	1854	1910	1989	2062	2147	2226	2302	2431
Pharmacist Lead Technician	1599	1647	1696	1761	1824	1893	1954	2021	2128
Pharmacist Technician	1495	1540	1586	1640	1693	1751	1806	1864	1958
Public Aid Eligibility Assistant	1599	1647	1696	1761	1824	1893	1954	2021	2128
Radiologic Technologist	1800	1854	1910	1989	2062	2147	2226	2302	2431
Radiologic Technologist Program Coordinator	1885	1942	2000	2085	2163	2253	2335	2424	2559
Ranger	1967	2026	2087	2175	2268	2360	2449	2543	2687
Rehabilitation Counselor Aide I	1660	1710	1761	1827	1898	1966	2040	2110	2220
Rehabilitation Counselor Aide II	1800	1854	1910	1989	2062	2147	2226	2302	2431
Senior Ranger	2062	2124	2188	2282	2378	2484	2579	2679	2834
Site Technician I	1724	1776	1829	1909	1978	2053	2125	2202	2324
Site Technician II	1885	1942	2000	2085	2163	2253	2335	2424	2559
Social Service Community Planner	1800	1854	1910	1989	2062	2147	2226	2302	2431
Statistical Research Technician	1800	1854	1910	1989	2062	2147	2226	2302	2431
Veterans Service Officer	1885	1942	2000	2085	2163	2253	2335	2424	2559
Vocational Instructor	1885	1942	2000	2085	2163	2253	2335	2424	2559

2/ Entry level step in second year of contract.

Effective: July 1, 1996

	S T E P S						
	1c 3/	1b	1a	1	2	3	4
Apparel Dry Goods Specialist III	1775	1828	1883	1939	2025	2102	2182
Assistant Reimbursement Officer	1546	1592	1640	1689	1747	1809	1870
Child Development Aide III	1724	1776	1829	1884	1966	2037	2115
Clinical Laboratory Associate	1546	1592	1640	1689	1747	1809	1870
Clinical Laboratory Technician I	1724	1776	1829	1884	1966	2037	2115
Clinical Laboratory Technician II	1885	1942	2000	2060	2148	2228	2321
Compliance Officer	2062	2124	2188	2254	2350	2449	2559



DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Conservation Resource	1724	1776	1829	1884	1966	2037	2115	2189	2268	2394
Technician I										
Conservation Resource	1967	2026	2087	2150	2240	2336	2431	2522	2619	2768
Technician II										
Construction Supervisor I	1967	2026	2087	2150	2240	2336	2431	2522	2619	2768
Construction Supervisor II	2262	2330	2400	2472	2586	2704	2817	2934	3052	3232
Crime Scene Technician	2942	3030	3121	3215	3380	3543	3708	3877	4038	4289
Crime Studies Associate	1724	1776	1829	1884	1966	2037	2115	2189	2268	2394
Data Processing	2062	2124	2188	2254	2350	2449	2559	2656	2759	2919
Administrative Specialist										
Data Processing Specialist	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Data Processing Technician	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Data Processing Technician	1495	1540	1586	1634	1689	1744	1804	1860	1920	2017
Trainee										
Dental Assistant	1546	1592	1640	1689	1747	1809	1870	1931	1995	2102
Dental Hygienist	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Electroencephalograph	1599	1647	1696	1747	1814	1879	1950	2013	2082	2192
Technician										
Environmental Equipment	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Operator I										
Environmental Equipment	2062	2124	2188	2254	2350	2449	2559	2656	2759	2919
Operator II										
Environmental Protection	1599	1647	1696	1747	1814	1879	1950	2013	2082	2192
Technician I										
Environmental Protection	1724	1776	1829	1884	1966	2037	2115	2189	2268	2394
Technician II										
Hearing & Speech	1495	1540	1586	1634	1689	1744	1804	1860	1920	2017
Technician I										
Hearing & Speech	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Technician II										
Historic Site Interpreter	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Historic Site Lead I	1967	2026	2087	2150	2240	2336	2431	2522	2619	2768
Historic Site Lead II	2062	2124	2188	2254	2350	2449	2559	2656	2759	2919
Housekeeper II	1399	1441	1484	1529	1578	1628	1676	1722	1776	1867
Inhalation Therapist	1599	1647	1696	1747	1814	1879	1950	2013	2082	2192
Intermittent Unemployment	9 20	9 48	9 76	10 06	10 39	10 73	11 10	11 45	11 82	12 41
Insurance Technician										
Laboratory Assistant	1399	1441	1484	1529	1581	1632	1678	1735	1782	1874
Laboratory Associate I	1724	1776	1829	1884	1966	2037	2115	2189	2268	2394
Laboratory Associate II	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Legal Research Assistant*	1967	2026	2087	2150	2240	2336	2431	2522	2619	2768
Licensed Practical Nurse I	1709	1760	1813	1867	1936	2015	2088	2170	2240	2360

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Licensed Practical Nurse II	1792	1846	1901	1958	2045	2121	2204	2285	2367	2519
Medical Records Assistant	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Medical Records Technician	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504
Office Administrative Specialist	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Office Specialist										
Office Specialist	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504
Pharmacist Lead Technician	1599	1647	1696	1747	1814	1879	1950	2013	2082	2192
Pharmacist Technician	1495	1540	1586	1634	1689	1744	1804	1860	1920	2017
Public Aid Eligibility Assistant	1599	1647	1696	1747	1814	1879	1950	2013	2082	2192
Radiologic Technologist	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504
Radiologic Technologist	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Program Coordinator										
Ranger	1967	2026	2087	2150	2240	2336	2431	2522	2619	2768
Rehabilitation Counselor	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
Aide I										
Rehabilitation Counselor	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504
Aide II										
Senior Ranger	2062	2124	2188	2254	2350	2449	2559	2656	2759	2919
Site Technician I	1724	1776	1829	1884	1966	2037	2115	2189	2268	2394
Site Technician II	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Social Service Community Planner	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504
Statistical Research Technician	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504
Veterans Service Officer	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
Vocational Instructor	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636

3/ Entry level step in third year of contract.

(Source: Peremptory amendment at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_) JUN 13 1994



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Section 310. Appendix A Negotiated Rates of Pay  
TABLE R RC-042 (Residual Maintenance Workers, AFSCME)

	Effective: July 1, 1991						
	1	2	3	4	5	6	7
BUILDING/GROUNDS LABORER	1493	1525	1556	1590	1626	1657	1723
BUILDING/GROUNDS LEAD I	1672	1718	1757	1804	1849	1894	1981
BUILDING/GROUNDS LEAD II	1813	1871	1924	1982	2039	2095	2189
BUILDING/GROUNDS	1629	1672	1712	1754	1796	1839	1918
MAINTENANCE WORKER							
INTERMITTENT LABORER	9.15	9.35	9.54	9.75	9.97	10.16	10.56
(MAINTENANCE)							
RACE TRACK MAINTAINER I	1659	1723	1788	1852	1914	1980	2122
RACE TRACK MAINTAINER II	1880	1956	2036	2113	2190	2272	2397
REFRIGERATION & AIR	1906	1990	2070	2161	2244	2329	2461
CONDITIONING REPAIRER							
Effective: January 1, 1992							
	1	2	3	4	5	6	7
BUILDING/GROUNDS LABORER	1518	1550	1581	1615	1651	1682	1748
BUILDING/GROUNDS LEAD I	1697	1743	1782	1829	1874	1919	2006
BUILDING/GROUNDS LEAD II	1838	1896	1949	2007	2064	2120	2214
BUILDING/GROUNDS	1654	1697	1737	1779	1821	1864	1943
MAINTENANCE WORKER							
INTERMITTENT LABORER	9.31	9.50	9.69	9.90	10.12	10.31	10.72
(MAINTENANCE)							
RACE TRACK MAINTAINER I	1684	1748	1813	1877	1939	2005	2147
RACE TRACK MAINTAINER II	1905	1981	2061	2138	2215	2297	2422
REFRIGERATION & AIR	1931	2015	2095	2186	2269	2354	2486
CONDITIONING REPAIRER							

NOTE: Effective January 1, 1992, employees who have 15 years of service and have 3 or more years of creditable service on Step 7 in the same pay grade shall receive an additional \$25.00 monthly.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Effective: July 1, 1992

	Effective: July 1, 1992						
	1	2	3	4	5	6	7
BUILDING/GROUNDS LABORER	1582	1614	1646	1681	1718	1750	1817
BUILDING/GROUNDS LEAD I	1765	1812	1852	1900	1946	1993	2082
BUILDING/GROUNDS LEAD II	1910	1969	2023	2083	2141	2199	2295
BUILDING/GROUNDS	1721	1765	1806	1849	1892	1936	2017
MAINTENANCE WORKER							
INTERMITTENT LABORER	9.70	9.89	10.09	10.30	10.53	10.73	11.14
(MAINTENANCE)							
RACE TRACK MAINTAINER I	1752	1817	1884	1950	2013	2081	2226
RACE TRACK MAINTAINER II	1978	2056	2138	2217	2296	2380	2508
REFRIGERATION & AIR	2005	2091	2173	2266	2351	2438	2574
CONDITIONING REPAIRER							
Effective: January 1, 1993							
	1	2	3	4	5	6	7
BUILDING/GROUNDS LABORER	1614	1646	1679	1715	1752	1785	1853
BUILDING/GROUNDS LEAD I	1800	1848	1889	1938	1985	2033	2124
BUILDING/GROUNDS LEAD II	1948	2008	2063	2125	2184	2243	2341
BUILDING/GROUNDS	1755	1800	1842	1886	1930	1975	2057
MAINTENANCE WORKER							
INTERMITTENT LABORER	9.89	10.09	10.29	10.51	10.74	10.94	11.36
(MAINTENANCE)							
RACE TRACK MAINTAINER I	1787	1853	1922	1989	2053	2123	2271
RACE TRACK MAINTAINER II	2018	2097	2181	2261	2342	2428	2558
REFRIGERATION & AIR	2045	2133	2216	2311	2398	2487	2625
CONDITIONING REPAIRER							

Effective: July 1, 1993

	Effective: July 1, 1993						
	1	2	3	4	5	6	7
BUILDING/GROUNDS LABORER	1721	1755	1789	1827	1866	1901	1972
BUILDING/GROUNDS LEAD I	1916	1967	2010	2061	2111	2161	2256
BUILDING/GROUNDS LEAD II	2072	2135	2192	2258	2319	2381	2484
BUILDING/GROUNDS	1869	1916	1960	2007	2053	2100	2186
MAINTENANCE WORKER							

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES  
NOTICE OF PEREMPTORY AMENDMENTS

Effective: July 1, 1992

	S T E P S						
	1	2	3	4	5	6	7
BUILDING/GROUNDS LABORER	1582	1614	1646	1681	1718	1750	1817
BUILDING/GROUNDS LEAD I	1765	1812	1852	1900	1946	1993	2082
BUILDING/GROUNDS LEAD II	1910	1969	2023	2083	2141	2199	2295
BUILDING/GROUNDS MAINTENANCE WORKER	1721	1765	1806	1849	1892	1936	2017
INTERMITTENT LABORER (MAINTENANCE)	970	989	1009	1030	1053	1073	1114
RACE TRACK MAINTAINER I	1752	1817	1884	1950	2013	2081	2226
RACE TRACK MAINTAINER II	1978	2056	2138	2217	2296	2380	2508
REFRIGERATION & AIR CONDITIONING REPAIRER	2005	2091	2173	2266	2351	2438	2574

Effective: January 1, 1993

	S T E P S						
	1	2	3	4	5	6	7
BUILDING/GROUNDS LABORER	1614	1646	1679	1715	1752	1785	1853
BUILDING/GROUNDS LEAD I	1800	1848	1889	1938	1985	2033	2124
BUILDING/GROUNDS LEAD II	1948	2008	2063	2125	2184	2243	2341
BUILDING/GROUNDS MAINTENANCE WORKER	1755	1800	1842	1886	1930	1975	2057
INTERMITTENT LABORER (MAINTENANCE)	989	1009	1029	1051	1074	1094	1136
RACE TRACK MAINTAINER I	1787	1853	1922	1989	2053	2123	2271
RACE TRACK MAINTAINER II	2018	2097	2181	2261	2342	2428	2558
REFRIGERATION & AIR CONDITIONING REPAIRER	2045	2133	2216	2311	2398	2487	2625

Effective: July 1, 1993

	S T E P S						
	1	2	3	4	5	6	7
BUILDING/GROUNDS LABORER	1721	1755	1789	1827	1866	1901	1972
BUILDING/GROUNDS LEAD I	1916	1967	2010	2061	2111	2161	2256
BUILDING/GROUNDS LEAD II	2072	2135	2192	2258	2319	2381	2484
BUILDING/GROUNDS MAINTENANCE WORKER	1869	1916	1960	2007	2053	2100	2186

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES  
NOTICE OF PEREMPTORY AMENDMENTS

INTERMITTENT LABORER (MAINTENANCE)	1055	1076	1097	1120	1144	1165	1209
RACE TRACK MAINTAINER I	1903	1972	2044	2115	2182	2255	2411
RACE TRACK MAINTAINER II	2145	2228	2316	2400	2485	2576	2712
REFRIGERATION & AIR CONDITIONING REPAIRER	2174	2266	2353	2453	2544	2638	2783

Effective: July 1, 1994

	STEPS							
	1a	1	2	3	4	5	6	7
Building/Grounds Laborer	1721	1773	1808	1843	1882	1922	1958	2031
Building/Grounds Lead I	1916	1973	2026	2070	2123	2174	2226	2324
Building/Grounds Lead II	2072	2134	2199	2258	2326	2389	2452	2559
Building/Grounds Maintenance Worker	1869	1925	1973	2019	2067	2115	2163	2252
Intermittent Laborer (Maintenance)	1055	1087	1108	1130	1154	1178	1200	1245
Race Track Maintainer I	1903	1960	2031	2105	2178	2247	2323	2483
Race Track Maintainer II	2145	2209	2295	2385	2472	2560	2653	2793
Refrigeration & Air Conditioning	2174	2239	2334	2424	2527	2620	2717	2866
Repairer								

1/ Entry level step in first year of contract.

Effective: July 1, 1995

	S T E P S								
	1b/2/	1a	1	2	3	4	5	6	7
Building/Grounds Laborer	1721	1854	1910	1989	2062	2147	2226	2302	2431
Building/Grounds Lead I	1916	2026	2087	2175	2268	2360	2449	2543	2687
Building/Grounds Lead II	2072	2218	2285	2391	2495	2597	2703	2804	2971
Building/Grounds Maintenance Worker	1869	1942	2000	2085	2163	2253	2335	2424	2559
Intermittent Laborer (Maintenance)	1055	1137	1171	1219	1264	1316	1365	1411	1490
Race Track Maintainer I	1903	2026	2087	2175	2268	2360	2449	2543	2687
Race Track Maintainer II	2145	2218	2285	2391	2495	2597	2703	2804	2971
Refrigeration & Air Conditioning Repairer	2174	2218	2285	2391	2495	2597	2703	2804	2971

2/ Entry level step in second year of contract.

2/ Entry level step in second year of contract.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES  
NOTICE OF PEREMPTORY AMENDMENTS

Effective: July 1, 1996

	S T E P S									
	1a/3/	1b	1a	1	2	3	4	5	6	7
Building/Grounds Laborer	1721	1773	1910	1967	2049	2124	2211	2293	2371	2504
Building/Grounds Lead I	1916	1973	2087	2150	2240	2336	2431	2522	2619	2768
Building/Grounds Lead II	2072	2134	2285	2354	2463	2570	2675	2784	2888	3060
Building/Grounds	1869	1925	2000	2060	2148	2228	2321	2405	2497	2636
Maintenance Worker										
Intermittent Laborer	10.55	10.87	11.71	12.06	12.56	13.02	13.55	14.06	14.53	15.35
(Maintenance)										
Race Track Maintainer I	1903	1960	2087	2150	2240	2336	2431	2522	2619	2768
Race Track Maintainer II	2145	2209	2285	2354	2463	2570	2675	2784	2888	3060
Refrigeration & Air	2174	2239	2285	2354	2463	2570	2675	2784	2888	3060
Conditioning Repairer										

3/ Entry level step in third year of contract.

(Source: Peremptory amendment at 18 Ill. Reg. \_\_\_\_\_, effective JUN 13 1994 )

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES  
NOTICE OF PEREMPTORY AMENDMENTS

Section 310. Appendix A Negotiated Rates of Pay  
TABLE W RC-062 (Technical Employees, AFSCME)

Effective: July 1, 1994

Salary Grade	Minimum							Maximum						
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
62-8	1457	1512	1566	1625	1678	1725	1827							
62-9	1512	1569	1630	1688	1751	1812	1905							
62-10	1571	1638	1698	1763	1825	1891	1995							
62-11	1639	1708	1771	1843	1911	1977	2087							
62-12	1717	1789	1858	1934	2005	2080	2197							
62-13	1791	1867	1947	2025	2103	2183	2307							
62-14	1878	1960	2042	2133	2215	2300	2423							
62-15	1961	2053	2141	2229	2321	2408	2551							
62-16	2060	2156	2255	2348	2446	2544	2695							
62-17	2162	2265	2370	2469	2570	2674	2834							
62-18	2278	2389	2500	2613	2721	2829	2997							
62-19	2402	2524	2643	2764	2881	3002	3184							
62-20	2538	2665	2790	2923	3049	3174	3369							
62-21	2680	2818	2954	3091	3232	3366	3576							
62-22	2833	2980	3127	3273	3424	3568	3789							
62-23	3005	3165	3326	3484	3644	3803	4042							
62-24	3198	3368	3542	3714	3885	4060	4316							



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

NOTE: Effective January 1, 1992, employees who have 15 years of service and have 3 or more years of creditable service on Step 7 in the same pay grade shall receive an additional \$25.00 monthly.

Effective: July 1, 1992

62-8	1493	1550	1605	1666	1720	1778	1873
62-9	1550	1608	1671	1730	1795	1857	1953
62-10	1610	1679	1740	1807	1871	1938	2045
62-11	1680	1751	1815	1889	1959	2026	2139
62-12	1760	1834	1904	1982	2055	2132	2252
62-13	1836	1914	1996	2076	2156	2238	2365
62-14	1925	2009	2093	2186	2270	2358	2494
62-15	2010	2104	2195	2285	2379	2468	2615
62-16	2112	2210	2311	2407	2507	2608	2762
62-17	2216	2322	2429	2531	2634	2741	2905
62-18	2325	2449	2563	2678	2789	2900	3072
62-19	2462	2587	2709	2833	2953	3077	3264
62-20	2601	2732	2860	2996	3125	3253	3453
62-21	2747	2888	3028	3168	3313	3450	3665
62-22	2904	3055	3205	3355	3510	3657	3884
62-23	3080	3244	3409	3571	3735	3898	4143
62-24	3278	3452	3631	3807	3982	4162	4424

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Effective: January 1, 1993

62-8	1523	1581	1637	1699	1754	1814	1910
62-9	1581	1640	1704	1765	1831	1894	1992
62-10	1642	1713	1775	1843	1908	1977	2086
62-11	1714	1786	1851	1927	1998	2067	2182
62-12	1795	1871	1942	2022	2096	2175	2297
62-13	1873	1952	2036	2118	2199	2283	2412
62-14	1964	2049	2135	2230	2315	2405	2544
62-15	2050	2146	2239	2331	2427	2517	2667
62-16	2154	2254	2357	2455	2557	2660	2817
62-17	2260	2368	2478	2582	2687	2796	2963
62-18	2382	2498	2614	2732	2845	2958	3133
62-19	2511	2639	2763	2890	3012	3139	3329
62-20	2653	2787	2917	3056	3188	3318	3522
62-21	2802	2946	3089	3231	3379	3519	3738
62-22	2962	3116	3269	3422	3580	3730	3962
62-23	3142	3309	3477	3642	3810	3976	4226
62-24	3344	3521	3704	3883	4062	4245	4512

Effective: July 1, 1993

62-8	1599	1660	1719	1784	1842	1905	2006
62-9	1660	1722	1789	1853	1923	1989	2092

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

62-10	1724	1799	1864	1955	2003	2076	2190
62-11	1800	1875	1944	2033	2098	2170	2291
62-12	1885	1965	2039	2123	2201	2284	2412
62-13	1967	2050	2138	2224	2309	2397	2533
62-14	2062	2151	2242	2342	2431	2525	2671
62-15	2153	2253	2351	2448	2548	2643	2800
62-16	2262	2367	2475	2578	2685	2793	2958
62-17	2373	2486	2602	2711	2821	2936	3111
62-18	2501	2623	2745	2869	2987	3106	3290
62-19	2637	2771	2901	3035	3163	3296	3495
62-20	2786	2936	3063	3200	3347	3484	3698
62-21	2942	3093	3243	3393	3548	3695	3925
62-22	3110	3272	3432	3593	3759	3917	4160
62-23	3299	3474	3651	3824	4001	4175	4437
62-24	3511	3697	3889	4077	4265	4457	4738

Effective: July 1, 1994

Salary Grade	Step 1a	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
62-8	1599	1647	1710	1771	1838	1897	1962	2066
62-9	1660	1710	1774	1843	1909	1981	2049	2155
62-10	1724	1776	1853	1920	1993	2063	2138	2256

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

62-11	1800	1854	1931	2002	2084	2161	2235	2360
62-12	1885	1942	2024	2100	2187	2267	2353	2484
62-13	1967	2026	2112	2202	2291	2378	2469	2609
62-14	2062	2124	2216	2309	2412	2504	2601	2751
62-15	2153	2218	2321	2422	2521	2624	2722	2884
62-16	2262	2330	2438	2549	2655	2766	2877	3047
62-17	2373	2444	2561	2680	2792	2906	3024	3204
62-18	2501	2576	2702	2827	2955	3077	3199	3389
62-19	2637	2716	2854	2988	3126	3258	3395	3600
62-20	2786	2870	3014	3155	3305	3447	3589	3809
62-21	2942	3030	3186	3340	3495	3654	3806	4043
62-22	3110	3203	3370	3535	3701	3872	4035	4285
62-23	3299	3398	3578	3761	3939	4121	4300	4570
62-24	3511	3616	3808	4006	4199	4393	4591	4880

1/ Entry level step in first year of contract.

Effective: July 1, 1995

Salary Grade	Step 1b 2/	Step 1a	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
62-8	1599	1647	1696	1761	1824	1893	1954	2021	2128
62-9	1660	1710	1761	1827	1898	1966	2040	2110	2220
62-10	1724	1776	1829	1909	1978	2053	2125	2202	2324
62-11	1800	1854	1910	1989	2062	2147	2226	2302	2431

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

62-12	1885	1942	2000	2085	2163	2253	2335	2424	2559
62-13	1967	2026	2087	2175	2268	2360	2449	2543	2687
62-14	2062	2124	2188	2282	2378	2484	2579	2679	2834
62-15	2153	2218	2285	2391	2495	2597	2703	2804	2971
62-16	2262	2330	2400	2511	2625	2735	2849	2963	3138
62-17	2373	2444	2517	2638	2760	2876	2993	3115	3300
62-18	2501	2576	2653	2783	2912	3044	3169	3295	3491
62-19	2637	2716	2797	2940	3078	3220	3356	3497	3708
62-20	2786	2870	2956	3104	3250	3404	3550	3697	3923
62-21	2942	3030	3121	3282	3440	3600	3764	3920	4164
62-22	3110	3203	3299	3471	3641	3812	3988	4156	4414
62-23	3299	3398	3500	3685	3874	4057	4245	4429	4707
62-24	3511	3616	3724	3922	4126	4325	4525	4729	5026

2/ Entry level step in second year of contract.

Effective: July 1, 1996

Salary Grade	Step 1a	Step 1b	Step 1c	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
62-8	1599	1647	1696	1747	1814	1879	1950	2013	2082
62-9	1660	1710	1761	1814	1882	1955	2025	2101	2173
62-10	1724	1776	1829	1884	1966	2037	2115	2189	2268
62-11	1800	1854	1910	1967	2049	2124	2211	2293	2371

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

62-12	1885	1942	2000	2060	2148	2228	2321	2405	2497	2636
62-13	1967	2026	2087	2150	2240	2336	2431	2522	2619	2768
62-14	2062	2124	2188	2254	2350	2449	2559	2656	2759	2919
62-15	2153	2218	2285	2354	2463	2570	2675	2784	2888	3060
62-16	2262	2330	2400	2472	2586	2704	2817	2934	3052	3232
62-17	2373	2444	2517	2593	2717	2843	2962	3083	3208	3399
62-18	2501	2576	2653	2733	2866	2999	3135	3264	3394	3596
62-19	2637	2716	2797	2881	3028	3170	3317	3457	3602	3819
62-20	2786	2870	2956	3045	3197	3348	3506	3657	3808	4041
62-21	2942	3030	3121	3215	3380	3543	3708	3877	4038	4289
62-22	3110	3203	3299	3398	3575	3750	3926	4108	4281	4546
62-23	3299	3398	3500	3605	3796	3990	4179	4372	4562	4848
62-24	3511	3616	3724	3836	4040	4250	4455	4661	4871	5177

3/ Entry level step in third year of contract.

(Source: Peremptory amendment at 18 Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_ JUN 13 1994)



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Section 310, Appendix A Negotiated Rates of Pay  
TABLE X RC-063 (Professional Employees, AFSCME)

Effective: July 1, 1991

Salary Grade	Minimum					Maximum	
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
63-13	1791	1867	1947	2025	2103	2183	2307
63-14	1878	1960	2042	2133	2215	2300	2433
63-15	1961	2053	2141	2229	2321	2408	2551
63-16	2060	2156	2255	2348	2446	2544	2695
63-17	2162	2265	2370	2469	2570	2674	2834
63-18	2278	2389	2500	2613	2721	2829	2997
63-19	2402	2524	2643	2764	2881	3002	3184
63-20	2538	2665	2790	2923	3049	3174	3369
63-21	2680	2818	2954	3091	3222	3366	3576
63-22	2833	2980	3127	3273	3424	3568	3789
63-23	3005	3165	3326	3484	3644	3803	4042

NOTE: Effective January 1, 1992, employees who have 15 years of service and have 3 or more years of creditable service on Step 7 in the same pay grade shall receive an additional \$25.00 monthly.

Effective: July 1, 1992

63-13	1836	1914	1996	2076	2156	2238	2365
63-14	1925	2009	2093	2186	2270	2358	2494
63-15	2010	2104	2195	2285	2379	2468	2615

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

63-16	2112	2210	2311	2407	2507	2608	2762
63-17	2216	2322	2429	2531	2634	2741	2905
63-18	2335	2449	2563	2678	2789	2900	3072
63-19	2462	2587	2709	2833	2953	3077	3264
63-20	2601	2732	2860	2996	3125	3253	3453
63-21	2747	2888	3028	3168	3313	3450	3665
63-22	2904	3055	3205	3355	3510	3657	3884
63-23	3080	3244	3409	3571	3735	3898	4143

Effective: January 1, 1993

63-13	1873	1952	2036	2118	2199	2283	2412
63-14	1964	2049	2135	2220	2315	2405	2544
63-15	2050	2146	2239	2331	2427	2517	2667
63-16	2154	2254	2357	2455	2557	2660	2817
63-17	2260	2368	2478	2582	2687	2796	2963
63-18	2382	2498	2614	2722	2845	2958	3123
63-19	2511	2639	2763	2890	3012	3139	3329
63-20	2653	2787	2917	3056	3188	3318	3522
63-21	2802	2946	3089	3231	3379	3519	3738
63-22	2962	3116	3269	3422	3580	3730	3962
63-23	3142	3309	3477	3642	3810	3976	4226

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Effective: July 1, 1993

63-13	1967	2050	2138	2224	2309	2397	2533												
63-14	2062	2151	2242	2342	2431	2525	2671												
63-15	2153	2253	2351	2448	2548	2643	2800												
63-16	2262	2367	2475	2578	2685	2793	2958												
63-17	2373	2486	2602	2711	2821	2936	3111												
63-18	2501	2623	2745	2869	2987	3106	3290												
63-19	2637	2771	2901	3035	3163	3296	3495												
63-20	2786	2926	3063	3209	3347	3484	3698												
63-21	2942	3093	3243	3393	3548	3695	3925												
63-22	3110	3272	3432	3593	3759	3917	4160												
63-23	3299	3474	3651	3824	4001	4175	4437												

Effective: July 1, 1994

Salary Grade	Step 1a	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
63-13	1967	2026	2112	2202	2291	2378	2469	2609
63-14	2062	2124	2216	2309	2412	2504	2601	2751
63-15	2153	2218	2321	2422	2521	2624	2722	2884
63-16	2262	2330	2438	2549	2655	2766	2877	3047
63-17	2373	2444	2561	2680	2792	2906	3024	3204
63-18	2501	2576	2702	2827	2955	3077	3199	3389

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

63-19	2637	2716	2854	2988	3126	3258	3395	3600
63-20	2786	2870	3014	3155	3305	3447	3589	3809
63-21	2942	3030	3186	3340	3495	3654	3806	4043
63-22	3110	3203	3370	3535	3701	3872	4035	4285
63-23	3299	3398	3578	3761	3939	4121	4300	4570

1/ Entry level step in first year of contract.

Effective: July 1, 1995

Salary Grade	Step 1a	Step 1b	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
63-13	1967	2026	2087	2175	2268	2360	2449	2543
63-14	2062	2124	2188	2282	2378	2484	2579	2679
63-15	2153	2218	2285	2391	2495	2597	2703	2804
63-16	2262	2330	2400	2511	2625	2735	2849	2963
63-17	2373	2444	2517	2638	2760	2876	2993	3115
63-18	2501	2576	2653	2783	2912	3044	3169	3295
63-19	2637	2716	2797	2940	3078	3220	3356	3497
63-20	2786	2870	2956	3104	3250	3404	3550	3697
63-21	2942	3030	3121	3282	3440	3600	3764	3920
63-22	3110	3203	3299	3471	3641	3812	3988	4156
63-23	3299	3398	3500	3685	3874	4057	4245	4429

2/ Entry level step in second year of contract.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Section 310. Appendix A Negotiated Rates of Pay  
TABLE Z RC-063 (Physicians, AFSCME)

Effective: July 1, 1991

	S-T-E-P-S					
	1	2	3	4	5	6
PHYSICIAN	4,922	5,204	5,489	5,773	6,058	6,340
PHYSICIAN SPECIALIST -OPTION-A	5,204	5,527	5,849	6,171	6,492	6,814
PHYSICIAN SPECIALIST -OPTION-B	5,679	6,019	6,360	6,701	7,041	7,382
PHYSICIAN SPECIALIST -OPTION-C	6,340	6,719	7,099	7,477	7,855	8,234
PHYSICIAN SPECIALIST -OPTION-D	7,099	7,477	7,855	8,234	8,613	8,991

NOTE: Effective January 1, 1992, employees who have 15 years of service and have 3 or more years of creditable service on Step 6 in the same pay grade shall receive an additional \$25.00 monthly.

Effective: July 1, 1992

	S-T-E-P-S					
	1	2	3	4	5	6
PHYSICIAN	5,045	5,334	5,626	5,917	6,209	6,499
PHYSICIAN SPECIALIST -OPTION-A	5,334	5,665	5,995	6,325	6,654	6,984
PHYSICIAN SPECIALIST -OPTION-B	5,821	6,169	6,519	6,869	7,217	7,567
PHYSICIAN SPECIALIST -OPTION-C	6,499	6,887	7,276	7,664	8,051	8,440

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

PHYSICIAN SPECIALIST  
-OPTION-D

Effective: January 1, 1993

	S-T-E-P-S					
	1	2	3	4	5	6
PHYSICIAN	5,146	5,441	5,739	6,035	6,333	6,629
PHYSICIAN SPECIALIST -OPTION-A	5,441	5,778	6,115	6,452	6,787	7,124
PHYSICIAN SPECIALIST -OPTION-B	5,937	6,292	6,649	7,006	7,361	7,718
PHYSICIAN SPECIALIST -OPTION-C	6,629	7,025	7,422	7,817	8,212	8,609
PHYSICIAN SPECIALIST -OPTION-D	7,422	7,817	8,212	8,609	9,005	9,400

Effective: July 1, 1993

	S-T-E-P-S					
	1	2	3	4	5	6
PHYSICIAN	5,403	5,713	6,026	6,337	6,650	6,960
PHYSICIAN SPECIALIST -OPTION-A	5,713	6,067	6,421	6,775	7,126	7,480
PHYSICIAN SPECIALIST -OPTION-B	6,234	6,607	6,981	7,356	7,729	8,104
PHYSICIAN SPECIALIST -OPTION-C	6,960	7,376	7,793	8,208	8,623	9,039
PHYSICIAN SPECIALIST -OPTION-D	7,793	8,208	8,623	9,039	9,455	9,870



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Effective July 1, 1996

	S T E P S					
	1a	1b	2	3	4	5
Physician	5403	5565	5732	5904	6243	6585
Physician Specialist	5713	5884	6061	6243	6629	7016
Option A					7403	7787
Physician Specialist	6234	6421	6614	6812	7219	7628
Option B					8038	8446
Physician Specialist	6960	7169	7384	7606	8060	8516
Option C					8969	9422
Physician Specialist	7793	8027	8268	8516	8969	9422
Option D					9877	10332

3/ Entry level step in third year of contract.

(Source: Peremptory amendment at 18 Ill. Reg. effective JUN 13 1994)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Effective July 1, 1994

	S T E P S					
	1a	2	3	4	5	6
Physician	5403	5565	5884	6207	6527	6850
Physician Specialist	5713	5884	6249	6614	6978	7340
Option A					7340	7704
Physician Specialist	6234	6421	6805	7190	7577	7961
Option B					7961	8347
Physician Specialist	6960	7169	7597	8027	8454	8882
Option C					8882	9310
Physician Specialist	7793	8027	8454	8882	9310	9739
Option D					9739	10166

1/ Entry level step in first year of contract.

Effective July 1, 1995

	S T E P S					
	1b 2/ 1a	2	3	4	5	6
Physician	5403	5565	5732	6061	6393	6723
Physician Specialist	5713	5884	6061	6436	6812	7187
Option A					7560	7935
Physician Specialist	6234	6421	6614	7009	7406	7804
Option B					8200	8597
Physician Specialist	6960	7169	7384	7825	8268	8708
Option C					9148	9589
Physician Specialist	7793	8027	8268	8708	9148	9589
Option D					10031	10471

2/ Entry level step in second year of contract.

## ILLINOIS RACING BOARD

NOTICE OF MODIFICATION TO EMERGENCY  
AMENDMENT IN RESPONSE TO AN OBJECTION OF THE  
JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Medication
- 2) Code Citation: 11 Ill. Adm. Code 509
- 3) Section Number: 509.300
- 4) Notice of Emergency Amendments published in the Illinois Register:  
April 15, 1994, 18 Ill. Reg. 6019
- 5) JCAR Statement of Objection to Emergency Amendments published in the Illinois Register: 18 Ill. Reg. 8504, June 3, 1994
- 6) Date agency submitted this modification to JCAR for approval: May 26, 1994.
- 7) Summary of Action Taken by Agency: Modify subsection (b) to read as follows:

If the pre-race saliva test is positive for a foreign substance, "other than those substances authorized for use by Section 509.90 or 509.95", the subject horse shall be scratched and the trainer shall be fined \$100.

The full text of the Section of the emergency amendments being modified begins on the next page:

## ILLINOIS RACING BOARD

NOTICE OF MODIFICATION TO EMERGENCY  
AMENDMENT IN RESPONSE TO AN OBJECTION OF THE  
JOINT COMMITTEE ON ADMINISTRATIVE RULES

Section 509.300      Pre-Race Saliva Tests  
EMERGENCY

- a) The stewards may require that any horse entered to race submit to a pre-race saliva test.
- b) If the pre-race saliva test is positive for a foreign substance, other than those substances authorized for use by Section 509.90 or 509.95, the subject horse shall be scratched and the trainer shall be fined \$100.
- c) A trainer who is the subject of a second positive on a pre-race saliva test shall be suspended for 30 days.
- d) A trainer who is the subject of a third positive on a pre-race saliva test shall be suspended for 180 days.
- e) A trainer who has been the subject of three positive reports on pre-race saliva tests shall be suspended for one year for each additional positive thereafter.

(Source: Emergency rule added at 18 Ill. Reg. 6019, effective April 1, 1994, for a maximum of 150 days; modified at 18 Ill. Reg. \_\_\_\_\_)

## COMMISSIONER OF BANKS AND TRUST COMPANIES

## NOTICE OF PUBLIC INFORMATION

NOTICE OF ACCEPTANCE OF AN APPLICATION  
 BANKAMERICA CORPORATION, SAN FRANCISCO, CALIFORNIA  
 TO ACQUIRE CONTINENTAL BANK CORPORATION, CHICAGO, ILLINOIS

Pursuant to Section 3.071(d) of the Illinois Bank Holding Company Act of 1957, 205 ILCS 10/3.071(d) (1992), notice is hereby given that the Commissioner of Banks and Trust Companies has accepted for processing an application by BankAmerica Corporation, 355 California Street, San Francisco, California, 94104, to acquire Continental Bank Corporation, 231 South LaSalle Street, Chicago, Illinois, 60697.

Interested persons who desire to comment on this proposed acquisition may submit their comments in writing no later than 14 days after the publication of this notice to:

Dina A. Mansour  
 Commissioner of Banks and Trust Companies  
 310 South Michigan Ave.  
 Suite 2130  
 Chicago, Illinois 60604

## COMMISSIONER BANKS AND TRUST COMPANIES

## NOTICE OF PUBLIC INFORMATION

## NOTICE OF PUBLIC MEETING

Notice is hereby given that the State Banking Board of Illinois and the Board of Trustees of the Illinois Bank Examiners' Education Foundation will hold their regularly scheduled meetings on Tuesday, June 28, 1994, at the Office of the Illinois Commissioner of Banks and Trust Companies, 310 South Michigan, Suite 2130, Chicago, Illinois. The meeting of the Board of Trustees of the Illinois Bank Examiners' Education Foundation will begin at 9:30 a.m. The meeting of the State Banking Board of Illinois will begin at 10:30 a.m. The meeting will be open to the public in accordance with the Open Meetings Act, 5 ILCS 120/1-120/6 (1992) [Ill. Rev. Stat. ch. 120, par. 41 (1991)].

This meeting will be accessible to handicapped individuals in compliance with Executive Order #5 and pertinent state and federal laws upon notification of anticipated attendance. Handicapped persons planning to attend and needing special accommodations should contact, either by telephone or by letter, Debra Rath, Room 100, Reisch Building, 117 South Fifth Street, Springfield, Illinois 62701 or (217)785-2837 to inform of their anticipated attendance.





## PROCLAMATION

94-283

BENGALI WEEK  
(Revised)

Whereas, the Bengali Community in North America will hold their 14th North American Bengali Conference in Chicago at the Hyatt Regency O'Hare on July 1, 1994; and

Whereas, Bengali, heralded as the fifth largest speaking language in the world, continues to faithfully reflect a bounty of time-honored cultural traditions; and

Whereas, about 5,000 Bengalees from the homeland of world-renowned poet Ravindra Nath Tagore and world-famous monk Swami Vivekananda reside in the State of Illinois; and

Whereas, 3,000 delegates from throughout the nation are expected to join local members for this event; and

Whereas, the Bengalee community in Illinois includes many outstanding citizens who have contributed to the progress of the state, including the late Dr. Fazlur Rahman Khan who designed the John Hancock Center and the Sears Tower;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 27-July 3, 1994, as BENGALI WEEK in Illinois and urge the citizens of the state to recognize this event and participate fittingly in its observance.

Issued by the Governor June 7, 1994.  
Filed with the Secretary of State June 10, 1994.

94-300

## NAPERVILLE HERITAGE SOCIETY DAY

Whereas, the Naperville Heritage Society will pay tribute to their founders as they celebrate 25 years of preserving the unique history of Naperville; and

Whereas, Nancy Davis, Peggy Frank, and John Stevens of the Naperville Heritage Society have led enthusiastic volunteers in identifying and restoring homes for the living museum Naper Settlement; and

Whereas, the Naperville Heritage Society has gained national recognition for their preservation and educational efforts; and

Whereas, Naperville Heritage Society members are preserving the history of their community for citizens today to enjoy and for future generations to study and learn from;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 24, 1994, as NAPERVILLE HERITAGE SOCIETY DAY in Illinois.

Issued by the Governor June 3, 1994.

Filed with the Secretary of State June 10, 1994.

94-301

## ROBERT M. HEALEY DAY

Whereas, Robert M. Healey was born in Chicago, Illinois, and grew up on the Southeast Side of the city; and

Whereas, after serving in the U.S. Army from 1946-48, Mr. Healey attended college and went on to teach English and serve as the Department Chairman at Gage Park High School from 1956-1968; and

Whereas, Mr. Healey is a leader in the labor movement and has served the Chicago Federation of Labor and Industrial Union Council as an Executive Board Member, as Secretary-Treasurer, and as President from 1987-present. He also worked with the Illinois Federation of Teachers, serving as President for 18 years; the Chicago Teachers Union, as a member during his teaching career, as Financial Secretary, and finally as President; and the American Federation of Teachers as Vice President; and

Whereas, Mr. Healey serves as the Class C Director for the Federal Reserve Bank of Chicago. He is a dynamic leader and speaker who has worked diligently to give back to his community; and

Whereas, Mr. Healey is the Vice Chairman-Labor for the United Way/Crusade of Mercy and serves on numerous civic and charitable boards. He also serves as a rector for the Lincoln Academy, which honors outstanding Illinoisans; and

Whereas, after nearly 40 years, Mr. Healey is retiring;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 30, 1994, ROBERT M. HEALEY DAY in Illinois.

Issued by the Governor June 3, 1994.

Filed with the Secretary of State June 10, 1994.

94-302

## SERBIAN-AMERICAN DAY

Whereas, Serbian-Americans are proud to celebrate their heritage at the Third Annual Serbian-American Parade on July 16; and

Whereas, the parade commemorates Vidovan, or St. Vitas Day, a Serbian national holiday celebrating the endurance and survival of the Serbian people; and

Whereas, the Serbian-American community of metropolitan Chicago is 200,000 strong and growing; and

Whereas, the Serbian-American community has long been an important part of the rich ethnic blend of Illinois. These individuals are vital contributors to commerce, industry, science, and the arts;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 16, 1994, as SERBIAN-AMERICAN DAY in Illinois.

Issued by the Governor June 3, 1994.  
Filed with the Secretary of State June 10, 1994.

94-303  
FATHER'S DAY

Whereas, on June 19, 1994, Father's Day will be observed for the 84th consecutive time; and

Whereas, fathers render invaluable service to labor, industry, commerce, and every field of endeavor which is necessary for the family, community, public welfare, and the prosperity and health for our state and nation; and

Whereas, we look to fathers as dedicated partners in guiding their children and teaching them the importance of morals and ethics and fundamental laws that govern relationships among all people; and

Whereas, fathers should impress upon their children the value of civic involvement and family responsibility; and

Whereas, the maintenance of a lively and wholesome family environment is one of the objectives of the Father's Day Movement, which over the years has sought to adapt to changing values and customs; and

Whereas, it is appropriate that we designate one day in the year to pay tribute to those special men--our natural, adoptive, and foster fathers;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 19, 1994, as FATHER'S DAY in Illinois, in conjunction with the national observance. I urge all Illinoisans to express their appreciation to those in our society who have taken on the responsibility and joys of fatherhood.

Issued by the Governor June 6, 1994.

Filed with the Secretary of State June 10, 1994.

94-304  
WILLIAM R. DEUTSCH DAY

Whereas, William R. Deutsch has worked in public relations since 1954 when he served as Executive Director of the Illinois Motel Association and later was Executive Vice President of the Illinois Association of Life Companies; and

Whereas, since November 15, 1967, Mr. Deutsch has served as Executive Vice President of the Illinois Petroleum Marketers Association and the Illinois Association of Convenience Stores; and

Whereas, in the petroleum industry, Mr. Deutsch has served two terms as Secretary of the Gasoline Marketing/Motor Fuels Committee of the Petroleum Marketers Association of America and

several years as the Executive Representative on the NOJC Legislative Committee. He has also served as secretary, vice president, and president of the PMAA Executives' Committee; and

Whereas, Mr. Deutsch is a respected expert on the effects of the energy crisis on Illinois and the Midwest. During the energy crisis, he represented petroleum marketers at both the federal and state levels. In Illinois, he served on Governor Dan Walker's Energy Crisis Committee and advised the Advisory Committee on School Energy Planning. He has also testified before members of Congress at hearings in both Washington and Illinois; and

Whereas, Mr. Deutsch is a strong contributor to community activities. He is a member of the American Society of Association Executives, a past President of the Springfield Association Executives, and is active in the Central Illinois Oil Men's Club, the Chicago Oil Men's Club, and the Oil Men's Club of Greater St. Louis; and

Whereas, Mr. William R. Deutsch has announced his retirement and will celebrate at a retirement party on June 9, 1994; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 9, 1994, as WILLIAM R. DEUTSCH DAY in Illinois in appreciation of his dedication and commitment to excellence.

Issued by the Governor June 6, 1994.

Filed with the Secretary of State June 10, 1994.

94-305  
WORLD CUP DAY AT ARLINGTON  
INTERNATIONAL RACECOURSE

Whereas, the State of Illinois is proud to host the World Cup USA '94 soccer games on their first visit to the United States in its 60-year history, and to participate in the scheduled World Cup festivities; and

Whereas, on June 20, a "Day at the Races" will be held at the Arlington International Racecourse honoring World Cup Soccer in Illinois; and

Whereas, a "Day at the Races" will give both international and domestic media attending World Cup festivities the opportunity to learn more about Illinois' horseracing industry, and experience the attraction and excitement of horseracing in Illinois; and

Whereas, in celebration of the day's events, a featured race will be named -- World Cup USA -- and the winner will be awarded a commemorative "World Cup Day" trophy;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 20, 1994, as WORLD CUP DAY AT ARLINGTON INTERNATIONAL RACECOURSE in Illinois.

Issued by the Governor June 6, 1994.

Filed with the Secretary of State June 10, 1994.



## 94-306

## BAHA'I CENTENARY DAY

Whereas, the Baha'is of the United States are celebrating the 100th anniversary of establishment of their religion in North America; and

Whereas, the first Baha'i House of Worship in the Western Hemisphere is in Wilmette, Illinois, on the shores of Lake Michigan and the Baha'i National Center is in Evanston, Illinois; and

Whereas, the Baha'is are dedicated to universal peace, racial unity, the equality of women and men, and the elimination of all forms of prejudice;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 26, 1994, as BAHAI CENTENARY DAY in Illinois in commemoration of this anniversary.

Issued by the Governor June 7, 1994.

Filed with the Secretary of State June 10, 1994.

## 94-307

## CHARLES BLANCHARD CONGRATULATED

Whereas, Charles J. Blanchard, CAE, is retiring as President of the Management Association of Illinois after having served the organization for 31 years including 20 years as CEO; and

Whereas, Charles Blanchard has amassed many, major accomplishments during his tenure at the Association including giving direction during the merger of three associations into the Management Association of Illinois; increasing membership tenfold from 1974 to 1994, quadrupling the assets of the corporation; initiating the strategic planning and long range planning that has guided the association; expanding association services, staff, and headquarters; and forming a national network of association CEO's to provide them with consulting services; and

Whereas, having worked for two manufacturers prior to joining MAI, Charles Blanchard learned firsthand the concerns of employers and devoted his work at MAI to supporting and addressing those needs and interests; and

Whereas, the staff and members of MAI will miss both Charles Blanchard's expertise and leadership, as well as their personal contact with him;

Therefore, I, Jim Edgar, Governor of the State of Illinois, congratulate Charles Blanchard on his outstanding career and accomplishments and offer best wishes to Charles and his wife, Ann, in retirement.

Issued by the Governor June 7, 1994.

Filed with the Secretary of State June 10, 1994.

## 94-308

## FRED GARCIA DAY

Whereas, as Director of Physical Plant for the University of Illinois at Chicago, Fred Garcia was a strong supporter of minorities and females. He helped encourage minority vendor representation in UIC's bidding process and awarding of contracts. He also worked closely with local unions to include females in trades positions at UIC; and

Whereas, Mr. Garcia currently serves UIC as Executive Associate Vice Chancellor for Administration. He has helped develop a new look for the school's physical environment, implemented project management systems, and established communication lines; and

Whereas, Mr. Garcia is a devoted supporter of UIC. He has designed a new flag for the university and two scholarships have been established in his name; and

Whereas, Mr. Garcia represented UIC and Illinois in the National Kidney Foundation "Transplant Olympics" in Los Angeles and is involved in the Secretary of State's Organ Donors Program; and

Whereas, Mr. Garcia contributes his time and resources to many Hispanic organizations and civic groups on campus and in the city. He is a strong supporter of foreign students and has helped plan the biennial dentistry seminar for South American dentists, where he met his wife, Maru; and

Whereas, Mr. Garcia has announced his retirement from the University of Illinois at Chicago after 27 years of dedicated service on June 30, 1994. UIC will award Mr. Garcia Emeritus status upon his retirement. Family and friends will join Mt. Garcia in celebration of this occasion on June 10, 1994;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 10, 1994, as FRED GARCIA DAY in Illinois. Issued by the Governor June 8, 1994.

Filed with the Secretary of State June 10, 1994.

## 94-309

## TORCH RELAY DAY FOR THE U.S. OLYMPIC FESTIVAL-94

Whereas, the torch for the U.S. Olympic Festival-'94 will be carried by more than 5,000 participants running, walking, on bicycles, by wheelchair, and by boat; and

Whereas, the Torch Relay will visit approximately 110 cities and towns throughout Missouri and southwestern Illinois; and

Whereas, the route will highlight the region's natural beauty and colorful history; and

Whereas, the Flame will follow paths first traveled by Pony Express riders as well as by explorers Lewis and Clark in

Missouri and by the Illini Indians along the Great River Road in Alton, Illinois; and  
Whereas, it will burn brightly through Mark Twain National Forest in northern Missouri and the Ozark region of southern Missouri; and

Whereas, the Festival Torch will travel along the route used during the 1904 Summer Olympic Games; and

Whereas, the relay will conclude on Friday evening, July 1, with the lighting of the cauldron at the Opening Ceremonies for the U.S. Olympic Festival-'94 under the St. Louis Arch;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 18, 1994 as TORCH RELAY DAY FOR THE U.S. OLYMPIC FESTIVAL-'94 in Illinois.

Issued by the Governor June 8, 1994.

Filed with the Secretary of State June 10, 1994.

## ACTION CODES

A - Adopted Rule  
AR - Adopted Repealer  
C - Notice of Corrections  
CC - Codification Changes  
E - Emergency Rule  
ER - Emergency Repealer  
M - Modification to meet JCAR objections  
O - JCAR Statement of Objections  
RQ - Request for Correction  
EC - Expedited Corrections  
P - Proposed Rule  
PF - Prohibited Filing Order by JCAR (Joint Committee on Rules)  
PP - Peremptory or Court Ordered Rules  
PR - Proposed Repealer  
R - Refusal to meet JCAR Objection  
RC - Statement of Recommendation  
S - Suspension ordered by JCAR  
W - Withdrawal to meet JCAR Objections

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-7017.

## AGING, DEPARTMENT ON

89 Ill. Adm. Code 240 Community Care Program (P-14225/93; A-609) (E-5355)(P-5027)  
89 Ill. Adm. Code 260 Long-Term Care Insurance Partnership Demonstration Program (P-3802)  
89 Ill. Adm. Code 230 Older Americans Act Program (P-5720)

## AGRICULTURE, DEPARTMENT OF

8 Ill. Adm. Code 30 Animal Control Act (P-8972)  
8 Ill. Adm. Code 110 Animal Diagnostic Act (P-14717; A-1825)(P-8981)  
8 Ill. Adm. Code 25 Animal Welfare Act (P-8993)  
8 Ill. Adm. Code 75 Bovine Brucellosis (P-14728/93; A-1833)  
8 Ill. Adm. Code 257 Cooperative Groundwater Protection Program (P-14288/93; A-205)  
8 Ill. Adm. Code 20 Definitions (P-14793; A-1844)  
8 Ill. Adm. Code 85 Diseased Animals (P-14747/93; A-1850)  
8 Ill. Adm. Code 116 Equine Infectious Anemia Control (P-14761/93; A-1861)  
68 Ill. Adm. Code 590 Feeder Swine Dealer Licensing (P-14765/93; A-1865)  
68 Ill. Adm. Code 70 Horsemeat (P-9003)  
8 Ill. Adm. Code 35 Humane Care for Animals Act (P-9008)  
8 Ill. Adm. Code 50 Human Slaughter of Livestock (P-9011)  
8 Ill. Adm. Code 110 Illinois Dead Animal Disposal Act (P-9027)  
8 Ill. Adm. Code 270 Illinois State Fair and DuQuoin State Fair, Non-Fair Space Rental and the General Operation of the State Fairgrounds (P-3164; A-9400)  
8 Ill. Adm. Code 40 Livestock Auction Markets (P-14769/93; A-1869)  
68 Ill. Adm. Code 610 Livestock Dealer Licensing (P-14775/93; A-1875)  
8 Ill. Adm. Code 125 Meat and Poultry Inspection Act (PP-304)(PP-2164) (P-3809; A-4622)(PP-6442)(PP-8493)(P-9033)  
8 Ill. Adm. Code 515 Refrigerated Warehouse Act (P-9033)  
8 Ill. Adm. Code 105 Swine Disease Control & Eradication Act (P-14781/93; A-1880)  
8 Ill. Adm. Code 600 Weights and Measures Act (E-4426)(A-8519)

## ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

77 Ill. Adm. Code 2090 Subacute Alcoholism and Substance Abuse Treatment Services (P-5029; C-8731)

## ATTORNEY GENERAL

14 Ill. Adm. Code 200 Franchise Disclosure Act (PP-2522)

## AUDITOR GENERAL

2 Ill. Adm. Code 600 Public Information, Rulemaking, Organization and Personnel (A-6404)(AR-6440)  
2 Ill. Adm. Code 601 Freedom of Information (A-7739)

## CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000 Carnival and Amusement Park Inspection Law (P-6040)

## CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

44 Ill. Adm. Code 5000 Acquisition, Management & Disposal of Real Property (P-15217/93; A-1886)(P-5057)  
80 Ill. Adm. Code 302 Merit & Fitness (P-14788/93; A-1892)  
80 Ill. Adm. Code 310 Pay Plan (P-13657/93; P-14314; A-227; A-1107)(P-21233/93; A-5146)(PP-9562)

(Central Management Services, cont.)

80 Ill. Adm. Code 2650 Solicitation for Charitable Payroll Deductions (A-3115)

**CHILDREN AND FAMILY SERVICES, DEPARTMENT OF**

89 Ill. Adm. Code 325 Administration of Psychotropic Medications to Children for Whom the Department of Children and Family Services is Legally Responsible (P-8765)  
89 Ill. Adm. Code 434 Audits, Reviews and Investigations (P-7115/93; A-6697)(P-8777;E-8944)  
89 Ill. Adm. Code 385 Background Checks (P-8219)  
89 Ill. Adm. Code 380 Background Check of Foster Family Home Applicants (PR-8779)  
89 Ill. Adm. Code 358 Background Inquiry for Purchase of Service Providers (PR-8786)  
89 Ill. Adm. Code 305 Client Service Planning (P-6467)  
89 Ill. Adm. Code 431 Confidentiality of Personal Information of Persons Served by the Department (P-7554)(CC-7951)  
89 Ill. Adm. Code 428 Department Advisory Council, Ill. Juvenile Commission & Other Statewide & Regional Committees (P-561)  
89 Ill. Adm. Code 437 Department of Children and Family Services Employees Conflict of Interest (P-7539)  
89 Ill. Adm. Code 384 Discipline & Behavior Management in Child Care Facilities (E-8474)(P-8528)  
89 Ill. Adm. Code 314 Educational Services (P-17593/93; A-8366)  
89 Ill. Adm. Code 406 Licensing Standards for Day Care Homes (P-2683)(P-11964/93; A-5531)  
89 Ill. Adm. Code 402 Licensing Standards for Foster Family Homes (P-8237;E-8481)  
89 Ill. Adm. Code 408 Licensing Standards for Group Day Care Homes (P-2700)(P-11976/93; A-5540)  
89 Ill. Adm. Code 335 Relative Home Placements (P-6681/93; A-7444)  
89 Ill. Adm. Code 300 Reports of Child Abuse & Neglect (P-18271/93; A-8377)(P-15218/93; A-8601)

**CIVIL SERVICE SYSTEM, STATE UNIVERSITIES**

80 Ill. Adm. Code 250 State Universities Civil Service System (P-18453/93; A-1901)

**COMMERCE COMMISSION, ILLINOIS**

92 Ill. Adm. Code 1376 Accounting & Financial Record Requirements (P-8630/93; A-1914)  
83 Ill. Adm. Code 792 Imputation (P-11988/93; A-1919)  
83 Ill. Adm. Code 790 Interconnection (P-19354/93; A-6147)  
83 Ill. Adm. Code 535 Least-Cost Planning for Natural Utilities (PR-6081)  
83 Ill. Adm. Code 590 Minimum Safety Standards for Transportation of Gas Pipeline Facilities (P-2720)  
83 Ill. Adm. Code 770 Operator Service Providers (P-6099)  
83 Ill. Adm. Code 315 Pole Attachment Rates, Terms & Conditions Applicable to Cable Television Companies, Electric Utilities & Telecommunications Carriers (P-202/93; A-676; M-795)  
83 Ill. Adm. Code 280 Procedures for Gas, Electric, Water & Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices & Discontinuance of Service (P-918) (P-6382/93; A-6160)  
83 Ill. Adm. Code 735 Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service & Issuance of Telephone Directories for Telephone Utilities in the State of Illinois (P-927) (P-12483; A-4146) (P-6386/93; A-6164)  
92 Ill. Adm. Code 1236 Reinstatement of Revoked Operating Authority (P-8635/93; A-1924)  
92 Ill. Adm. Code 1710 Relocation Towing (P-21257/93; A-8609)  
83 Ill. Adm. Code 200 Rules and Practices (P-22117/93; A-7748)  
83 Ill. Adm. Code 285 Standard Information Requirements for Electric, Gas, Water & Sewer Utilities & Telecommunications Carriers in Filing for an Increase in Rates (P-2723)  
83 Ill. Adm. Code 425 Uniform Electric Fuel Adjustment (P-4483)  
92 Ill. Adm. Code 1375 Uniform System of Accounts (P-8635/93; A-1927)  
83 Ill. Adm. Code 415 Uniform System of Accounts for Electric Utilities (P-937)(P-4490)  
83 Ill. Adm. Code 505 Uniform System of Accounts for Gas Utilities (P-946)

**COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF**

47 Ill. Adm. Code 160 Emergency Shelter Grants Program (P-15747/93; A-5163)  
14 Ill. Adm. Code 520 Enterprise Zone Program (P-9791/93; A-5172)  
14 Ill. Adm. Code 510 Ill. Promotion Act Programs (P-14318/93; A-5813)(P-21905/93; A-8387)  
14 Ill. Adm. Code 570 Illinois Small Business Development Program (P-21123/93; A-6112)  
56 Ill. Adm. Code 509 Industrial Training Program (P-20063/93; RQ-6022)  
83 Ill. Adm. Code 772 Pay-Per-Call Services (P-7156)  
14 Ill. Adm. Code 610 Public Infrastructure Loan & Grants Programs (P-19352/93; A-8398)  
56 Ill. Adm. Code 2600 Service Delivery System & State Responsibilities (P-805)

(Commerce and Community Affairs, cont.)

14 Ill. Adm. Code 545 Technology Advancement & Development Act Program (P-839; A-8415)  
56 Ill. Adm. Code 2630 Uniform Fiscal & Administrative Standards for the Job Training Partnership Act (P-855)

**COMMISSIONER OF BANKS AND TRUST COMPANIES**

38 Ill. Adm. Code 380 Eligible State Bank (P-19347/93; A-4630)

**COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE**

38 Ill. Adm. Code 1075 Savings Bank Act (E-7016)

**COMMUNITY COLLEGE BOARD, ILLINOIS**

23 Ill. Adm. Code 1501 Administration of the Ill. Public Community College (P-569; A-8906)

**COMMUNITY DEVELOPMENT FINANCE CORPORATION, ILLINOIS**

47 Ill. Adm. Code 700 By-laws (P-4530/93; A-5826)

**COMPTROLLER, OFFICE OF THE**

38 Ill. Adm. Code 610 Ill. Funeral or Burial Funds Act (P-7168; C-)  
74 Ill. Adm. Code 275 Transfers Between Accounts Within a Fund Held by State Treasurer (P-1664; E-2119; A-7754)

**CONSERVATION, DEPARTMENT OF**

17 Ill. Adm. Code 130 Camping on Department of Conservation Properties (P-18721/93; A-1126)  
17 Ill. Adm. Code 530 Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit and Crow Hunting (P-4495)  
17 Ill. Adm. Code 850 Commercial Fishing in Lake Michigan (P-22123/93; A-5834)  
17 Ill. Adm. Code 830 Commercial Fishing and Musseling in Certain Waters of the State (E-4761)(P-5372)  
17 Ill. Adm. Code 2520 Consignment of Licenses (P-3821)  
17 Ill. Adm. Code 730 Dove Hunting Season (P-3830)  
17 Ill. Adm. Code 590 Duck, Goose and Coot Hunting (P-5065)  
17 Ill. Adm. Code 1590 Falconry & Captive Propagation of Raptors (P-9039)  
17 Ill. Adm. Code 910 Field Trials on Department-Owned Managed Sites (P-3846)  
2 Ill. Adm. Code 826 Freedom of Information (A-8616)  
17 Ill. Adm. Code 1010 Ill. List of Endangered & Threatened Fauna (P-16273/93; A-1134)  
17 Ill. Adm. Code 1050 Ill. List of Endangered & Threatened Flora (P-16285/93; A-1142)  
17 Ill. Adm. Code 3010 Illinois Snowmobile Grant Program (P-5379)  
17 Ill. Adm. Code 570 Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Coyote, Beaver and Woodchuck (P-3853)  
17 Ill. Adm. Code 1070 Possession of Specimens or Products of Endangered or Threatened Species (P-1; A-5838)  
17 Ill. Adm. Code 550 Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog/Hunting) (P-3868)  
17 Ill. Adm. Code 810 Register of Land & Water Reserves (P-578)  
17 Ill. Adm. Code 810 Sport Fishing Regulations for the Waters of Illinois (P-19785/93; A-3277)(E-5667)(P-6202)  
17 Ill. Adm. Code 690 Squirrel Hunting (P-3193; A-8624)  
17 Ill. Adm. Code 710 Taking of Wild Turkeys-Spring Season, The (P-18927/93; A-1156) (E-3751)  
17 Ill. Adm. Code 720 Taking of Wild Turkeys-Fall Archery Season, The (P-3884)  
17 Ill. Adm. Code 715 Taking of Wild Turkeys-Fall Gun Season, The (P-3895)  
17 Ill. Adm. Code 670 White-Tailed Deer Hunting by Use of Bow and Arrow (P-21907/93; A-5842)  
17 Ill. Adm. Code 650 White-Tailed Deer Hunting by Use of Firearms (P-21927/93; A-5859)(P-7180)  
17 Ill. Adm. Code 660 White-Tailed Deer Hunting Season by Use of Muzzleloading Rifles (P-21952/93; A-5878)(P-7183)  
17 Ill. Adm. Code 740 Woodcock, Snipe, Rail, and Teal Hunting (P-3986)

**CORRECTIONS, DEPARTMENT OF**

20 Ill. Adm. Code 420 Assignment of Committed Persons (P-19367/93; A-2929)  
20 Ill. Adm. Code 460 Impact Incarceration Program (P-19371/93; A-2933)  
20 Ill. Adm. Code 107 Records of Committed Persons (P-19377/93; A-2939)  
20 Ill. Adm. Code 405 School District (P-19405/93; A-2970)  
20 Ill. Adm. Code 501 Security (P-8396/93; A-6328)

**CRIMINAL JUSTICE INFORMATION AUTHORITY, ILLINOIS**

20 Ill. Adm. Code 1570 Fees for Processing Requests for Conviction Information (P-21136/93; A-4679)  
20 Ill. Adm. Code 1810 Rules for the Award and Monitoring of Trust Funds (P-20516/93; A-4834)  
20 Ill. Adm. Code 1800 Trust Fund Collection Rules (P-20539/93; A-4852)



**EDUCATION, STATE BOARD OF**

- 23 Ill. Adm. Code 610 Article 34 School and Subdistrict Councils (P-5449)
- 23 Ill. Adm. Code 252 Driver Education (P-8557)
- 23 Ill. Adm. Code 210 Learning Assessment & School Improvement Plans (P-10061/93;A-1169)
- 23 Ill. Adm. Code 1 Public Schools Evaluation, Recognition & Supervision (P-10079/93;A-1171)
- 23 Ill. Adm. Code 550 Reorganization Committee (PR-17611/93;AR-5551)
- 23 Ill. Adm. Code 226 Special Education (P-13231/93;A-1930)(P-18405/93;A-4685)(P-6482)
- 23 Ill. Adm. Code 170 Sprinkler System (P-18419/93;A-4699;EC-)
- 23 Ill. Adm. Code 245 Urban Education Partnership Program (P-10131/93;A-237)

**ELECTIONS, STATE BOARD OF**

- 23 Ill. Adm. Code 125 Practice and Procedure (P-6509)

**EMERGENCY MANAGEMENT AGENCY, ILLINOIS**

- 29 Ill. Adm. Code 1310 Emergency Management Assistance Program (P-13843/93;A-6394)
- 29 Ill. Adm. Code 1300 Emergency Services and Disaster Agencies: Establishment, Accreditation, and Workers' Compensation (P-13856/93;A-6386)
- 29 Ill. Adm. Code 300 Local Emergency Services and Disaster Agencies: Establishment, Jurisdiction, and Accreditation (PR-13865/93;AR-6384)
- 29 Ill. Adm. Code 510 Workers' Compensation Coverage (PR-13875/93;A-6382)

**EMPLOYMENT SECURITY, DEPARTMENT OF**

- 56 Ill. Adm. Code 2915 Academic Personnel (P-19415/93;A-4154)
- 56 Ill. Adm. Code 2865 Claimant's Availability for Work, Ability to Work and Active Search for Work (P-19421/93;A-4160)
- 56 Ill. Adm. Code 2720 Claims, Adjudication, Appeals and Hearings (P-9048)
- 56 Ill. Adm. Code 2770 Determination of Unemployment Contributions (P-17628/93;A-250)
- 56 Ill. Adm. Code 2920 Disqualifying Income and Reduced Benefits (P-19427/93;A-4166)
- 56 Ill. Adm. Code 2732 Employment (P-9067)
- 56 Ill. Adm. Code 2960 General Provisions (P-9075)
- 56 Ill. Adm. Code 2760 Notices, Records, Reports (P-16319/93;A-261)(O-7070;M-7492)(P-9082)
- 56 Ill. Adm. Code 2765 Payment of Unemployment Contributions, Interest and Penalties (P-9094)
- 56 Ill. Adm. Code 2730 Wages (P-9101)

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- 35 Ill. Adm. Code 270 Clean Air Act Permit Program Procedures (P-9425)
- 35 Ill. Adm. Code 372 Illinois Design Standards for Slow Rate Land Application of Treated Wastewater (P-4524)
- 35 Ill. Adm. Code 370 Illinois Recommended Standards for Sewage Works (CC-6375)
- 35 Ill. Adm. Code 184 Licensing of Industrial Hygienists (P-4)

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- 38 Ill. Adm. Code 130 Currency Exchange Rate (P-6929/93;W-6454)

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- 41 Ill. Adm. Code 200 Storage, Transportation, Sale and Use of Liquefied Petroleum (P-22)
- 41 Ill. Adm. Code 170 Storage, Transportation, Sale and Use of Petroleum and other Regulated Substances (P-8267)(P-9106)

**HEALTH CARE COST CONTAINMENT COUNCIL, ILLINOIS**

- 77 Ill. Adm. Code 2510 Data Collection (P-8274)
- 77 Ill. Adm. Code 2530 Hospital Price Information (P-19007/93;A-5343)
- 77 Ill. Adm. Code 2510 Data Collection (P-18944/93;A-5300)(P-)

**HIGHER EDUCATION, BOARD OF**

- 23 Ill. Adm. Code 1020 Health Services Education Grant (P-17639/93;A-4174)
- 23 Ill. Adm. Code 110 Program Accounting Manual (P-18283/93;A-5178)

**HOUSING DEVELOPMENT AUTHORITY, ILLINOIS**

- 47 Ill. Adm. Code 360 Affordable Housing Program (P-1669;E-2124;A-8663)
- 47 Ill. Adm. Code 365 Affordable Housing Bond Program (P-956;E-1596;A-8633)
- 47 Ill. Adm. Code 260 Homeowner Mortgage Revenue Bond Program (P-8293)

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- 47 Ill. Adm. Code 310 Multifamily Rental Housing Mortgage Loan Program (A-1939)

**HUMAN RIGHTS, DEPARTMENT OF**

- 2 Ill. Adm. Code 926 Access to Information (P-512)
- 2 Ill. Adm. Code 925 Rulemaking and Organization (P-525)

**INSURANCE, DEPARTMENT OF**

- 50 Ill. Adm. Code 1250 Corrective Orders (P-3985/93;A-2230)
- 50 Ill. Adm. Code 2013 Group Coverage Discontinuance and Replacement (P-8320)
- 50 Ill. Adm. Code 1103 Life Reinsurance Agreement (P-8411/93;A-685)
- 50 Ill. Adm. Code 2012 Long-term Care Insurance (P-11279/93;A-2238)
- 50 Ill. Adm. Code 2018 Long-Term Care Partnership Insurance (P-3919)
- 50 Ill. Adm. Code 3119 Pre-Licensing and Continuing Education (P-3964)
- 50 Ill. Adm. Code 855 Prior Notification of Dividends on Common Stock and Other Distributions (P-21264/93;A-6168)
- 50 Ill. Adm. Code 854 Prior Notification of Transactions (P-21143/93;A-6176)
- 50 Ill. Adm. Code 6201 Requirements (A-2282)
- 50 Ill. Adm. Code 2017 Uniform Medical Claim and Billing (P-37)

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- 80 Ill. Adm. Code 2700 State (of Ill.) Employees' Deferred Compensation Plan (P-19755/93;A-7224)

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

- 1 Ill. Adm. Code 255 Distribution of Database Information (E-5359;P-8792)
- 1 Ill. Adm. Code 260 Complaint Reviews (P-13233/93;A-4705)(CC-7495)
- 1 Ill. Adm. Code 245 Expedited Corrections (P-13248/93;A-4720)(CC-7496)
- 1 Ill. Adm. Code 250 Five Year Evaluation of All Existing Rules (P-13257/93;A-4728)
- 1 Ill. Adm. Code 210 General Policies (P-13268/93;A-4739)(CC-7497)
- 1 Ill. Adm. Code 230 Review of Emergency Rulemaking (P-13233/93;A-1233)(CC-7498)
- 1 Ill. Adm. Code 240 Review of Peremptory Rulemaking (P-13294/93;A-4745)(CC-7499)
- 1 Ill. Adm. Code 220 Review of Proposed Rulemaking (P-13307/93;A-4758)(CC-7500)

**LABOR, DEPARTMENT OF**

- 56 Ill. Adm. Code 350 Health & Safety (P-1672)

**LIQUOR CONTROL COMMISSION, ILLINOIS**

- 11 Ill. Adm. Code 100 The Illinois Liquor Control Commission (P-20094/93;A-4811)

**LOTTERY, DEPARTMENT OF**

- 11 Ill. Adm. Code 1700 Hearings (P-5394)
- 11 Ill. Adm. Code 1770 Lottery (General) (P-6519)

**LOW-LEVEL RADIOACTIVE WASTE TASK GROUP**

- 2 Ill. Adm. Code 2950 Information, Rulemaking and Organization (A-5889)(A-8684)

**MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF**

- 59 Ill. Adm. Code 101 Administration (P-10688/93;A-4179)
- 59 Ill. Adm. Code 122 Certification Under Medicaid Rehabilitation Option for Early Intervention Program (P-3969)
- 59 Ill. Adm. Code 121 Early Intervention Program (P-3976)
- 59 Ill. Adm. Code 132 Medicaid Community Health Services Program (P-3902)
- 59 Ill. Adm. Code 120 Medicaid Home and Community-Based Services for Developmentally Disabled Recipients (P-3990)
- 59 Ill. Adm. Code 106 Service Charges (P-7583)
- 59 Ill. Adm. Code 258 Standards and Requirements for Pre-Admission Screening and Participating Mental Centers (P-8795)

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- 62 Ill. Adm. Code 240 Illinois Oil and Gas Act (P-22128/93;A-8061)

**NATURE PRESERVES COMMISSION**

- 17 Ill. Adm. Code 4000 Management of Nature Preserves (P-12005/93;A-2290)

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17 Ill. Adm. Code 4010 Register of Land & Water Reserves (P-578;A-7253)

**NORTHEASTERN ILLINOIS PLANNING COMMISSION**

35 Ill. Adm. Code 399 Fees for Reviewing Applications to Change the Boundaries of a Wastewater Facility Planning Area (P-2552;A-9470)

**NUCLEAR SAFETY, DEPARTMENT OF**

32 Ill. Adm. Code 405 Certification of Individuals to Perform Industrial Radiography (P-3326)  
32 Ill. Adm. Code 333 Fees for Calibration Services (P-9797/93;A-2615)  
32 Ill. Adm. Code 331 Fees for Radioactive Material Licenses (P-3045)  
32 Ill. Adm. Code 330 Licensing of Radioactive Material (P-14417/93;A-5553)  
32 Ill. Adm. Code 332 Licensing Requirements for Source Material Milling Facilities (P-10701/93;A-3128)  
32 Ill. Adm. Code 400 Notices, Instructions & Reports to Workers; Inspection (P-8655/93;A-3132)  
32 Ill. Adm. Code 390 Particle Accelerators (P-8666/93;A-3143)  
32 Ill. Adm. Code 350 Radiation Safety Requirements for Industrial Radiographic Operations (P-13882/93;A-7263;EC-)  
32 Ill. Adm. Code 351 Radiation Safety Requirements for Wireline Service Operations and Subsurface Tracer Studies (P-8674/93;A-3344)  
32 Ill. Adm. Code 320 Registration of Radioactive Material, Radiation Machines, and Radiation Installations (P-8693/93;A-3363)  
32 Ill. Adm. Code 505 Safe Operation of Nuclear Facility Boilers & Pressure Vessels (P-15220/93;A-2317)  
32 Ill. Adm. Code 341 Transportation of Radioactive Material (P-13933/93;A-4196)  
32 Ill. Adm. Code 355 Use of Radionuclides in the Healing Arts (P-20122/93;A-7308)  
32 Ill. Adm. Code 360 Use of X-Ray in the Healing Arts Including Medical, Dental, Podiatry, and Veterinary Medicine (P-3996)

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35 Ill. Adm. Code 211 Definitions & General Provisions (P-12491/93;A-1253)(P-7589)(P-8331)(P-9228)  
35 Ill. Adm. Code 304 Effluent Standards (P-15223/93;A-267;P-2560)  
35 Ill. Adm. Code 620 Groundwater Quality (P-5113)  
35 Ill. Adm. Code 720 Hazardous Waste Management System: General (P-337;A-6720)(P-6553)  
35 Ill. Adm. Code 106 Hearings Pursuant to Specific Rules (P-959;A-4230)  
35 Ill. Adm. Code 721 Identification and Listing of Hazardous Waste (P-357;A-6741)(P-6526)  
35 Ill. Adm. Code 725 Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities (P-377;A-6771)(C-5011)(P-6568)  
35 Ill. Adm. Code 728 Land Disposal Restrictions (P-388;A-6799)(C-5013)(P-6535)  
35 Ill. Adm. Code 203 Major Stationary Sources Construction and Modification (P-18754/93;A-6335)  
35 Ill. Adm. Code 218 Organic Material Emission Standards & Limitations for the Chicago Area (P-12491/93;A-1945)(P-7602)(P-9242)  
35 Ill. Adm. Code 219 Organic Material Emission Standards & Limitations for the Metro East Area (P-20203/93;A-4242)(P-7618)(P-9272)  
35 Ill. Adm. Code 105 Permits (16366/93;A-4244)  
35 Ill. Adm. Code 201 Permits & General Provisions (P-7636)(P-8347)  
35 Ill. Adm. Code 732 Petroleum Underground Storage Tanks (P-5403)  
35 Ill. Adm. Code 611 Primary Drinking Water Standards (P-7642)  
35 Ill. Adm. Code 813 Procedural Requirements for Permitted Landfills (RQ-12409/93;EC-7501)  
35 Ill. Adm. Code 702 RCRA and UIC Permit Programs (P-406;A-6918)  
35 Ill. Adm. Code 703 RCRA Permit Program (P-419;A-6898)(P-6580)  
35 Ill. Adm. Code 817 Requirements for New Steel and Foundry Industry (P-6246)  
35 Ill. Adm. Code 810 Solid Waste Disposal: General Provisions (P-8702/93;A-1268)  
35 Ill. Adm. Code 814 Standards for Existing Landfills & Units (P-8714/93;A-1284)(E-8488)  
35 Ill. Adm. Code 726 Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities (P-6600)  
35 Ill. Adm. Code 739 Standards for the Management of Used Oil (P-455;A-6931)(C-5017)  
35 Ill. Adm. Code 811 Standards for New Solid Waste Landfills (P-8726/93;A-1308)(C-4434)(EC-3021/93;EC-7504)  
35 Ill. Adm. Code 724 Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities (P-439;A-6973)(C-5015)(P-6641)  
35 Ill. Adm. Code 203 Water Use Designations & Site Specific Water Quality Standards (P-8726/93;A-2981)  
35 Ill. Adm. Code 212 Visible & Particulate Matter Emissions (P-967)

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68 Ill. Adm. Code 1175 Barber, Cosmetology, Esthetics, and Nail Technology Act (P-20217/93;A-4856)  
68 Ill. Adm. Code 1505 Certified Veterinary Technicians (P-5737)  
68 Ill. Adm. Code 1400 Clinical Psychologist Licensing Act (P-2566)  
68 Ill. Adm. Code 1470 Clinical Social Work & Social Work Practice Act (P-8435/93;A-2370)  
68 Ill. Adm. Code 1315 III. Occupational Therapy Practice Act (P-590;A-7377)  
68 Ill. Adm. Code 1270 III. Professional Land Surveyor Act of 1989 (P-14550/93;A-5900)  
68 Ill. Adm. Code 1465 III. Speech-Language Pathology & Audiology Practice Act (P-7194)  
68 Ill. Adm. Code 1283 Marriage and Family Therapy Licensing Act (P-5477)  
68 Ill. Adm. Code 1285 Medical Practice Act of 1987 (RQ-21209/93;EC-312)  
68 Ill. Adm. Code 1375 Professional Counselor and Clinical Professional Counselor Licensing Act (P-7986)  
68 Ill. Adm. Code 1455 Real Estate Appraiser Certificates (P-16379/93;A-2379)(P-2733;A-8428)  
68 Ill. Adm. Code 102 Rights and Responsibilities (P-2602)  
68 Ill. Adm. Code 1480 Structural Engineering Licensing Act of 1989 (P-5749)  
68 Ill. Adm. Code 1500 Veterinary Medicine and Surgery Practice Act (P-5758)

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89 Ill. Adm. Code 112 Aid to Families with Dependent Children (P-2753;A-4546)(P-19436/93;A-5909)(P-22247/93;A-6994)(P-7208)(P-2587/93;A-8703)  
89 Ill. Adm. Code 113 Aid to the Aged, Blind or Disabled (P-13380/93;A-2018)(P-4562)(P-21982/93;A-7759)  
89 Ill. Adm. Code 111 Assistance Standards (P-18764/93;A-2029)(P-22262/93;A-7009)  
89 Ill. Adm. Code 160 Child Support Enforcement (P-497)(P-12067/93;A-697)  
89 Ill. Adm. Code 170 Demonstration Programs (P-19440/93;A-3372)  
89 Ill. Adm. Code 149 Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (P-15243/93;A-3378)  
89 Ill. Adm. Code 121 Food Stamps (P-18425/93;A-2033)(P-21991/93;A-8921)(P-2178;A-8921)(E-2509)(P-16405/93;A-3427)(P-4575)(P-6251)  
89 Ill. Adm. Code 114 General Assistance (P-19443/93;A-3436)(P-4586)(P-22308/93;A-7390)  
89 Ill. Adm. Code 152 Hospital Reimbursement Changes (P-1677)(E-2150)  
89 Ill. Adm. Code 153 Long Term Care Reimbursement Changes (P-1686)(E-2159)  
89 Ill. Adm. Code 120 Medical Assistance Programs (P-13392/93;A-2051)(P-4063)(P-221266/93;A-5934)(P-22321/93;A-8718)  
89 Ill. Adm. Code 140 Medical Practice (P-18436/93;A-3620)(P-17736/93;A-3620)(P-15444/93;A-4250)(P-4077)(P-4597;W-8730)(P-5778)(P-9296)  
89 Ill. Adm. Code 147 Reimbursement for Nursing Costs for Geriatric Facilities (P-14803/93;A-2405)(P-18788/93;A-4274)  
89 Ill. Adm. Code 117 Related Program Provisions (P-21158/93;A-3746)(P-22007/93;A-7403)  
89 Ill. Adm. Code 102 Rights and Responsibilities (P-15461/93;A-273)(P-2602;A-8938)  
89 Ill. Adm. Code 115 Refugees/Entrant/Repatriate Program (P-9346)

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77 Ill. Adm. Code 697 AIDS Confidentiality and Testing Code (P-8848)  
77 Ill. Adm. Code 692 AIDS Drug Reimbursement Program (P-12590/93;A-1427)  
77 Ill. Adm. Code 598 Allied Health Care Professional Assistance Law (P-3077)  
77 Ill. Adm. Code 205 Ambulatory Surgical Treatment Center Licensing Requirements (P-6653)  
77 Ill. Adm. Code 970 Breast & Cervical Cancer Research Fund Rules (P-9354;E-9549)  
77 Ill. Adm. Code 665 Child Health Examination Code (P-2697/93;A-4296)  
77 Ill. Adm. Code 690 Communicable Disease Control & Immunizations (P-1690)  
77 Ill. Adm. Code 693 Control of Sexually Transmissible Diseases Code (P-8850)  
77 Ill. Adm. Code 594 Distribution of Medical Student Scholarship Payback Funds (P-8572)  
77 Ill. Adm. Code 635 Family Planning (P-19882/93;A-5969)  
77 Ill. Adm. Code 1130 Health Facilities Planning Procedural Rules (P-8861)  
77 Ill. Adm. Code 250 Hospital Licensing Requirements (P-46)  
77 Ill. Adm. Code 790 Illinois Formula for the Drug Product Selection Program (PR-3202;P-3205)(ER-3755;E-3778)  
77 Ill. Adm. Code 596 Illinois Rural Health Code (P-3086)  
77 Ill. Adm. Code 350 Intermediate Care for the Developmentally Disabled Facilities Code (P-12104/93;A-1432)(P-4904)  
77 Ill. Adm. Code 245 Illinois Home Health Agency Code (P-747/93;A-2414)  
77 Ill. Adm. Code 540 Illinois Trauma Center Code (P-12101/93;A-2620)  
77 Ill. Adm. Code 845 Lead Poisoning Prevention (P-8021)  
77 Ill. Adm. Code 610 Local Health Department Development Grant Rules (P-14824/93;A-4310)  
77 Ill. Adm. Code 615 Local Health Protection Grant Rules (P-17798/93;A-4320;PR-17741/93;AR-4317)  
77 Ill. Adm. Code 390 Long-term Care for Under Age 22 Facilities Code (P-12128/93;A-1453)(P-4924)



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- 77 Ill. Adm. Code 630 Maternal and Child Health Services Code (P-3069/93;A-4380)
- 77 Ill. Adm. Code 600 Minimum Qualifications for Personnel/Employed by Local Departments Code (P-14806/93;A-4476;PR-14831/93;AR-4422)
- 77 Ill. Adm. Code 1100 Narrative & Planning Policies (P-12606/93;A-2986)
- 77 Ill. Adm. Code 597 Nursing Education Scholarships (P-8359)
- 77 Ill. Adm. Code 1110 Processing, Classification Policies & Review Criteria (P-12593/93;A-2993)
- 77 Ill. Adm. Code 505 Pregnancy Termination Report Code (P-13631/93;A-533)
- 77 Ill. Adm. Code 960 Preventive Health & Health Services Block Grant Programs (P-2180)
- 77 Ill. Adm. Code 960 Preventive Health & Health Services Block Grants PHHS Rules (P-2205)
- 77 Ill. Adm. Code 960 Regional Ambulance Services Code (P-95;A-6340)
- 77 Ill. Adm. Code 547 Rules and Regulations to Carry Out Provisions of Titles XVIII and XIX of the Social Security Act Relating to Skilled Nursing and Intermediate Care Facilities (PR-103)
- 77 Ill. Adm. Code 420 Rules of Practice and Procedure in Administrative Hearings (P-12153/93;A-5980)
- 77 Ill. Adm. Code 100 Sale of Bonds (P-4538)
- 77 Ill. Adm. Code 1400 Sheltered Care Facilities Code (P-12188/93;A-1475) (P-4942)
- 77 Ill. Adm. Code 330 Sheltered Nursing & Intermediate Care Facilities Code (P-12205/93;A-1491) (P-4961)
- 77 Ill. Adm. Code 300 Subacute Care Hospital Demonstration Program Code (P-9654/93;A-2424)
- 77 Ill. Adm. Code 270 WIC Vendor Management Code (P-12228/93;A-2450)

**PUBLIC HEALTH, DEPARTMENT OF/HEALTH FACILITIES PLANNING BOARD**

- 77 Ill. Adm. Code 1130 Health Facilities Planning Procedural Rules (P-8867)
- 77 Ill. Adm. Code 1100 Narrative and Planning Policies (P-8144/93;A-8448) (P-9357)
- 77 Ill. Adm. Code 1110 Processing, Classification Policies and Review Criteria (P-8149/93;A-8455) (P-9364)

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- 11 Ill. Adm. Code 206 Board Meetings (P-112;A-7407)
- 11 Ill. Adm. Code 208 Charitable Funds (P-115;A-7410)
- 11 Ill. Adm. Code 510 Claiming Races (P-15790/93;A-2064) (P-5500)
- 11 Ill. Adm. Code 1405 Clerk of the Scales (P-5503)
- 11 Ill. Adm. Code 210 Definitions (P-19057/93;A-2072)
- 11 Ill. Adm. Code 401 Definitions (P-10030/93;A-2087)
- 11 Ill. Adm. Code 1304 Definitions (P-19033/93;A-2088)
- 11 Ill. Adm. Code 501 Definitions & Interpretations (P-3040/93;A-2089)
- 11 Ill. Adm. Code 1401 Definitions & Interpretations (P-19050/93;A-2090)
- 11 Ill. Adm. Code 1413 Entries, Subscriptions and Declarations (P-5505)
- 11 Ill. Adm. Code 207 Executive Secretary (P-124;A-7418)
- 11 Ill. Adm. Code 1313 General License Rules (P-6680)
- 11 Ill. Adm. Code 204 Hearings and Enforcement Proceedings (P-126;A-7419)
- 11 Ill. Adm. Code 1411 Jockeys, Apprentice Jockeys, Agency & Valets (P-19892/93;A-2092)
- 11 Ill. Adm. Code 502 Licensing (P-5508)
- 11 Ill. Adm. Code 509 Mediation (P-2832;A-7428) (P-5795) (E-6019;O-85040;M-9562)
- 11 Ill. Adm. Code 405 Pari-Mutuels (P-2838)
- 11 Ill. Adm. Code 308 Pick (N) Pools (P-1773;A-7433)
- 11 Ill. Adm. Code 438 Pick N Wagering Pool (PR-2841;AR-7439)
- 11 Ill. Adm. Code 1440 Quarter Horse Racing (P-15799/93;A-2098)
- 11 Ill. Adm. Code 1415 Starting (P-5512)
- 11 Ill. Adm. Code 311 Superficia (P-1780;A-7440)
- 11 Ill. Adm. Code 433 Totalizer Operations (P-1773;A-7443)

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- 89 Ill. Adm. Code 515 Advisory Councils (P-2846)
- 89 Ill. Adm. Code 688 Illinois-Long-Term Care Partnership Demonstration Program (P-4093)
- 89 Ill. Adm. Code 830 Non-Academic Programs and Policies (P-6267)
- 89 Ill. Adm. Code 546 Public Use of DOKS Facilities (P-1784)
- 89 Ill. Adm. Code 640 Projects with Industry (P-4097)
- 89 Ill. Adm. Code 590 Services (P-3106)

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- 86 Ill. Adm. Code 430 Bingo License and Tax Act (P-4101)
- 86 Ill. Adm. Code 435 Charitable Games Act (P-4109)
- 86 Ill. Adm. Code 100 Income Tax (P-15471/93;A-1510) (P-17861/93;A-2494) (P-21163/93;A-7768) (P-9377)
- 86 Ill. Adm. Code 500 Motor Fuel Tax (CC-4451)
- 86 Ill. Adm. Code 750 Payment of Taxes by Electronic Funds Transfer (P-6112)
- 86 Ill. Adm. Code 432 Pull Tabs and Jar Games Act (P-4117)
- 86 Ill. Adm. Code 120 Real Estate Transfer Tax (P-1789)
- 86 Ill. Adm. Code 130 Retailers' Occupation Tax (P-982) (P-15501/93;A-1537) (P-6684)
- 86 Ill. Adm. Code 140 Service Occupation Tax (P-15515/93;A-1550)
- 86 Ill. Adm. Code 160 Service Use Tax (P-15522/93;A-1557)
- 86 Ill. Adm. Code 160 Uniform Penalty & Interest Act (P-16421/93;A-1561) (P-9394)
- 86 Ill. Adm. Code 700 Use Tax (P-15527/93;A-1584)

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- 14 Ill. Adm. Code 150 Business Corporation Act (P-1793;A-7783)
- 92 Ill. Adm. Code 1040 Cancellation, Revocation or Suspension of Licenses or Permits (P-1797;A-7447) (P-2608) (P-2853)
- 92 Ill. Adm. Code 1060 Commercial Driver Training Schools (P-142;A-7788)
- 23 Ill. Adm. Code 3030 Ill. Library System Act (P-19072/93;A-7452)
- 92 Ill. Adm. Code 1070 Ill. Safety Responsibility Law (P-2217)
- 23 Ill. Adm. Code 3070 Illinois State Library Training Program Grants (P-19460/93;A-4981)
- 92 Ill. Adm. Code 1030 Issuance of Licenses (P-993;A-7478) (P-15803/93;A-1591)
- 23 Ill. Adm. Code 3040 Literacy Grant Program (P-18441/93;A-4990)
- 92 Ill. Adm. Code 1001 Procedures and Standards (P-7731;E-7916)
- 23 Ill. Adm. Code 3060 Public Library Construction Grants (P-18687/93;A-4996)
- 1 Ill. Adm. Code 100 Rulemaking (P-7087)
- 14 Ill. Adm. Code 180 Uniform Commercial Code (P-18793/93;A-2101)

**STATE POLICE MERIT BOARD, DEPARTMENT**

- 2 Ill. Adm. Code 2050 Public Information, Rulemaking and Organization (A-6019)

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- 23 Ill. Adm. Code 2771 College Savings Bond Bonus Incentive Grant (Big) Program (P-1006)
- 23 Ill. Adm. Code 2720 Federal Family Education Loan Program (P-1013)
- 23 Ill. Adm. Code 2700 General Provisions (P-1037)
- 23 Ill. Adm. Code 2731 Grant Programs for Dependents of Correctional Officers (P-1054)
- 23 Ill. Adm. Code 2730 Illinois National Guard Grant Program (P-1058)
- 23 Ill. Adm. Code 2733 Illinois Veteran Grant (IVG) Program (P-1064)
- 23 Ill. Adm. Code 2761 Merit Recognition Scholarship (MRS) Program (P-1073)
- 23 Ill. Adm. Code 2763 Minority Teachers of Ill. (MTI) Scholarship Program (P-1080)
- 23 Ill. Adm. Code 2762 Paul Douglas Teacher Scholarship Program (P-1089)
- 23 Ill. Adm. Code 2732 Police Officer/Fire Officer Survivor Grant Program (P-1098)
- 23 Ill. Adm. Code 2760 State Scholar Program (P-1073) (P-1803)
- 23 Ill. Adm. Code 2770 Student to Student (STS) Program of Matching Grants (P-1102)

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- 80 Ill. Adm. Code 1650 The Administration and Operation of the Teachers' Retirement System (P-22487/93;A-6349) (P-8904;E-8949)

**TRANSPORTATION, DEPARTMENT OF**

- 92 Ill. Adm. Code 14 Aviation Safety (P-5796)
- 92 Ill. Adm. Code 177 Carriage by Public Highway (P-21305/93;A-7852)
- 92 Ill. Adm. Code 700 Construction in Floodways of Rivers, Lakes & Streams (P-607;E-790;A-8167)
- 92 Ill. Adm. Code 180 Continuing Qualification & Maintenance of Packaging (P-21310;A-7857)
- 92 Ill. Adm. Code 397 Driving & Parking (P-13686/93;A-736)
- 92 Ill. Adm. Code 392 Driving of Motor Vehicles (P-13690/93;A-740) (P-2909)
- 92 Ill. Adm. Code 600 Employee Commute Options (P-12613/93;A-540)
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TYPE OF RULE MAKING

am = amend to existing Section  
cc = codification changes  
n = New section  
r = repeal of existing Section  
re = recodified  
# = renumbered

ACTION CODE

A = Adopted Rule  
E = Emergency  
P = Proposed Rule  
PP = Peremptory  
M = Modification  
W = Withdrawal  
CC = Codification Changes  
RQ = Request for Correction

PF = Prohibited Filing  
S = Suspension  
O = JCAR Objection  
F = Failure to Remedy Objections  
Objection  
RC = Recommendations  
EC = Expedited Correction  
C = Correction

1994

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100.110	am	(P-7087)	100.710	am	(P-7087)	220.300	am	(P-13307/93;A-4758)
100.140	am	(P-7087)	100.735	am	(P-7087)	220.450	am	(P-13307/93;A-4758)
100.150	am	(P-7087)	100.740	am	(P-7087)	220.500	am	(P-13307/93;A-4758)
100.160	am	(P-7087)	100.810	am	(P-7087)	220.600	am	(P-13307/93;A-4758)
100.180	am	(P-7087)	100.815	am	(P-7087)	220.700	am	(P-13307/93;A-4758)
100.200	am	(P-7087)	100.820	am	(P-7087)	220.760	am	(P-13307/93;A-4758)
100.220	am	(P-7087)	100.900	am	(P-7087)	220.800	am	(P-13307/93;A-4758)
100.240	am	(P-7087)	100.1000	am	(P-7087)	220.900	am	(P-13307/93;A-4758)
100.250	am	(P-7087)	100.1010	am	(P-7087)	220.950	am	(P-13307/93;A-4758)
100.270	am	(P-7087)	100.1025	am	(P-7087)	220.1000	am	(P-13307/93;A-4758)
100.280	am	(P-7087)	100.1100	am	(P-7087)	220.1150	am	(P-13307/93;A-4758)
100.300	am	(P-7087)	100.1110	am	(P-7087)	220.1200	am	(P-13307/93;A-4758)
100.315	am	(P-7087)	100.1115	am	(P-7087)	220.1250	am	(P-13307/93;A-4758)
100.330	am	(P-7087)	100.1120	am	(P-7087)	220.1300	am	(P-13307/93;A-4758)
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100.390	am	(P-7087)	100.1150	am	(P-7087)	220.Ex.C	am	(P-13307/93;A-4758)
100.400	am	(P-7087)	100.1210	am	(P-7087)	220.Ex.D	am	(P-13307/93;A-4758)
100.430	am	(P-7087)	100.1215	am	(P-7087)	220.Ex.E	am	(P-13307/93;A-4758)
100.450	am	(P-7087)	100.1210	am	(P-7087)	220.Ex.F	am	(P-13307/93;A-4758)
100.500	am	(P-7087)	100.1210	am	(P-7087)	220.Ex.G	am	(P-13307/93;A-4758)
100.510	am	(P-7087)	100.1210	am	(P-7087)	220.Ex.H	am	(P-13307/93;A-4758)
100.530	am	(P-7087)	100.1210	am	(P-7087)	220.Ex.I	am	(P-13307/93;A-4758)
100.540	am	(P-7087)	100.1210	am	(P-7087)	220.Ex.J	am	(P-13307/93;A-4758)
100.545	am	(P-7087)	100.1210	am	(P-7087)	220.Ex.K	am	(P-13307/93;A-4758)
100.550	am	(P-7087)	100.1210	am	(P-7087)	220.Ex.L	am	(P-13307/93;A-4758)
100.600	am	(P-7087)	100.1210	am	(P-7087)	220.Ex.M	am	(P-13307/93;A-4758)
100.610	am	(P-7087)	100.1210	am	(P-7087)	220.Ex.N	am	(P-13307/93;A-4758)
100.640	am	(P-7087)	100.1210	am	(P-7087)	220.Ex.O	am	(P-13307/93;A-4758)
100.655	am	(P-7087)	100.1210	am	(P-7087)	220.Ex.P	am	(P-13307/93;A-4758)
100.660	am	(P-7087)	100.1210	am	(P-7087)	220.Ex.Q	am	(P-13307/93;A-4758)

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(Title 1, cont.)		(P-13233/93;A-1233)	260.Ex.D	am	(P-13233/93;A-4705)	925.Ap.A	am	(P-525)
230.700	am	(P-13233/93;A-1233)				925.10	am	(P-512)
230.800	am	(P-13233/93;A-1233)				925.20	am	(P-512)
230.900	am	(P-13233/93;A-1233)				926.110	am	(P-512)
230.1000	am	(P-13233/93;A-1233)				926.120	am	(P-512)
230.Ex.A	am	(P-13233/93;A-1233)				926.130	am	(P-512)
230.Ex.B	am	(P-13233/93;A-1233)				926.210	am	(P-512)
230.Ex.C	am	(P-13233/93;A-1233)				926.220	am	(P-512)
230.Ex.D	am	(P-13233/93;A-1233)				926.230	am	(P-512)
230.Ex.E	am	(P-13233/93;A-1233)				926.235	am	(P-512)
230.Ex.F	re	(CC-7498)				926.236	am	(P-512)
240.100	am	(P-13294/93;A-4745)				926.240	am	(P-512)
240.200	am	(P-13294/93;A-4745)				926.250	am	(P-512)
240.300	am	(P-13294/93;A-4745)				926.260	am	(P-512)
240.400	am	(P-13294/93;A-4745)				926.270	am	(P-512)
240.500	am	(P-13294/93;A-4745)				926.280	am	(P-512)
240.600	am	(P-13294/93;A-4745)				926.290	am	(P-512)
240.700	am	(P-13294/93;A-4745)				926.300	am	(P-512)
240.800	am	(P-13294/93;A-4745)				926.310	am	(P-512)
240.900	am	(P-13294/93;A-4745)				926.320	am	(P-512)
240.1000	am	(P-13294/93;A-4745)				926.330	am	(P-512)
240.1100	am	(P-13294/93;A-4745)				926.340	am	(P-512)
245	re	(CC-7498)				926.350	am	(P-512)
245.100	am	(P-13248/93;A-4720)				926.360	am	(P-512)
245.110	am	(P-13248/93;A-4720)				926.370	am	(P-512)
245.130	am	(P-13248/93;A-4720)				926.380	am	(P-512)
245.140	am	(P-13248/93;A-4720)				926.390	am	(P-512)
245.Ex.A	am	(P-13248/93;A-4720)				926.400	am	(P-512)
245.Ex.B	am	(P-13248/93;A-4720)				926.410	am	(P-512)
250.200	am	(P-13257/93;A-4728)				926.420	am	(P-512)
250.300	am	(P-13257/93;A-4728)				926.430	am	(P-512)
250.400	am	(P-13257/93;A-4728)				926.440	am	(P-512)
250.500	am	(P-13257/93;A-4728)				926.450	am	(P-512)
250.600	am	(P-13257/93;A-4728)				926.460	am	(P-512)
250.700	am	(P-13257/93;A-4728)				926.470	am	(P-512)
250.800	am	(P-13257/93;A-4728)				926.480	am	(P-512)
250.900	am	(P-13257/93;A-4728)				926.490	am	(P-512)
250.1000	am	(P-13257/93;A-4728)				926.500	am	(P-512)
250.1200	am	(P-13257/93;A-4728)				926.510	am	(P-512)
250.1300	am	(P-13257/93;A-4728)				926.520	am	(P-512)
250.1400	am	(P-13257/93;A-4728)				926.530	am	(P-512)
250.1500	am	(P-13257/93;A-4728)				926.540	am	(P-512)
250.1600	am	(P-13257/93;A-4728)				926.550	am	(P-512)
250.1700	am	(P-13257/93;A-4728)				926.560	am	(P-512)
250.1800	am	(P-13257/93;A-4728)				926.570	am	(P-512)
250.1900	am	(P-13257/93;A-4728)				926.580	am	(P-512)
250.2000	am	(P-13257/93;A-4728)				926.590	am	(P-512)
250.2100	am	(P-13257/93;A-4728)				926.600	am	(P-512)
250.2200	am	(P-13257/93;A-4728)				926.610	am	(P-512)
255.10	re	(E-5359)				926.620	am	(P-512)
255.20	re	(E-5359)				926.630	am	(P-512)
260	re	(CC-7595)				926.640	am	(P-512)
260.100	am	(P-13233/93;A-4705)				926.650	am	(P-512)
260.200	am	(P-13233/93;A-4705)				926.660	am	(P-512)
260.300	am	(P-13233/93;A-4705)				926.670	am	(P-512)
260.350	am	(P-13233/93;A-4705)				926.680	am	(P-512)
260.400	am	(P-13233/93;A-4705)				926.690	am	(P-512)
260.500	am	(P-13233/93;A-4705)				926.700	am	(P-512)
260.600	am	(P-13233/93;A-4705)				926.710	am	(P-512)
260.700	am	(P-13233/93;A-4705)				926.720	am	(P-512)
260.800	am	(P-13233/93;A-4705)				926.730	am	(P-512)
260.900	am	(P-13233/93;A-4705)				926.740	am	(P-512)
260.1000	am	(P-13233/93;A-4705)				926.750	am	(P-512)
260.1100	am	(P-13233/93;A-4705)				926.760	am	(P-512)
260.1200	am	(P-13233/93;A-4705)				926.770	am	(P-512)
260.1300	am	(P-13233/93;A-4705)				926.780	am	(P-512)
260.1400	am	(P-13233/93;A-4705)				926.790	am	(P-512)
260.1500	am	(P-13233/93;A-4705)				926.800	am	(P-512)
260.1600	am	(P-13233/93;A-4705)				926.810	am	(P-512)
260.1700	am	(P-13233/93;A-4705)				926.820	am	(P-512)
260.1800	am	(P-13233/93;A-4705)				926.830	am	(P-512)
260.1900	am	(P-13233/93;A-4705)				926.840	am	(P-512)
260.2000	am	(P-13233/93;A-4705)				926.850	am	(P-512)
260.2100	am	(P-13233/93;A-4705)				926.860	am	(P-512)
260.2200	am	(P-13233/93;A-4705)				926.870	am	(P-512)
260.2300	am	(P-13233/93;A-4705)				926.880	am	(P-512)
260.2400	am	(P-13233/93;A-4705)				926.890	am	(P-512)
260.2500	am	(P-13233/93;A-4705)				926.900	am	(P-512)
260.2600	am	(P-13233/93;A-4705)				926.910	am	(P-512)
260.2700	am	(P-13233/93;A-4705)				926.920	am	(P-512)
260.2800	am	(P-13233/93;A-4705)				926.930	am	(P-512)
260.2900	am	(P-13233/93;A-4705)				926.940	am	(P-512)
260.3000	am	(P-13233/93;A-4705)				926.950	am	(P-512)
260.3100	am	(P-13233/93;A-4705)				926.960	am	(P-512)
260.3200	am	(P-13233/93;A-4705)				926.970	am	(P-512)
260.3300	am	(P-13233/93;A-4705)				926.980	am	(P-512)
260.3400	am	(P-13233/93;A-4705)				926.990	am	(P-512)
260.3500	am	(P-13233/93;A-4705)				927.000	am	(P-512)
260.3600	am	(P-13233/93;A-4705)				927.010	am	(P-512)
260.3700	am	(P-13233/93;A-4705)				927.020	am	(P-512)
260.3800	am	(P-13233/93;A-4705)				927.030	am	(P-512)
260.3900	am	(P-13233/93;A-4705)				927.040	am	(P-512)
260.4000	am	(P-13233/93;A-4705)				927.050	am	(P-512)
260.4100	am	(P-13233/93;A-4705)				927.060	am	(P-512)
260.4200	am	(P-13233/93;A-4705)				927.070	am	(P-512)
260.4300	am	(P-13233/93;A-4705)				927.080	am	(P-512)
260.4400	am	(P-13233/93;A-4705)				927.090	am	(P-512)
260.4500	am	(P-13233/93;A-4705)				927.100	am	(P-512)
260.4600	am	(P-13233/93;A-4705)				927.110	am	(P-512)
260.4700	am	(P-13233/93;A-4705)				927.120	am	(P-512)
260.4800	am	(P-13233/93;A-4705)				927.130	am	(P-512)
260.4900	am	(P-13233/93;A-4705)				927.140	am	(P-512)
260.5000	am	(P-13233/93;A-4705)				927.150	am	(P-512)
260.5100	am	(P-13233/93;A-4705)				927.160	am	(P-512)
260.5200	am	(P-13233/93;A-4705)				927.170	am	(P-512)
260.5300	am	(P-13233/93;A-4705)				927.180	am	(P-512)
260.5400	am	(P-13233/93;A-4705)				927.190	am	(P-512)
260.5500	am	(P-13233/93;A-4705)				927.200	am	(P-512)
260.5600	am	(P-13233/93;A-4705)				927.210	am	(P-512)
260.5700	am	(P-13233/93;A-4705)				927.220	am	(P-512)
260.5800	am	(P-13233/93;A-4705)				927.230	am	(P-512)
260.5900	am	(P-13233/93;A-4705)				927.240	am	(P-512)
260.6000	am	(P-13233/93;A-4705)				927.250	am	(P-512)
260.6100	am	(P-13233/93;A-4705)				927.260	am	(P-512)
260.6200	am	(P-13233/93;A-4705)				927.270	am	(P-512)
260.6300	am	(P-13233/93;A-4705)				927.280	am	(P-512)
260.6400	am	(P-13233/93;A-4705)				927.290	am	(P-512)
260.6500	am	(P-13233/93;A-4705)				927.300	am	(P-512)
260.6600	am	(P-13233/93;A-4705)				927.310	am	(P-512)
260.6700	am	(P-13233/93;A-4705)				927.320	am	(P-512)
260.6800	am	(P-13233/93;A-4705)				927.330	am	(P-512)
260.6900	am	(P-13233/93;A-4705)				927.340	am	(P-512)
260.7000	am	(P-13233/93;A-4705)				927.350	am	(P-512)
260.7100	am	(P-13233/93;A-4705)				927.360	am	(P-512)
260.7200	am	(P-13233/93;A-4705)				927.370	am	(P-512)
260.7300	am	(P-13233/93;A-4705)				927.380	am	(P-512)
260.7400	am	(P-13233/93;A-4705)				927.390	am	(P-512)
260.7500	am	(P-13233/93;A-4705)				927.400	am	(P-512)
260.7600	am	(P-13233/93;A-4705)				927.410	am	(P-512)
260.7700	am	(P-13233/93;A-4705)				927.420	am	(P-512)
260.7800	am	(P-13233/93;A-4705)				927.430	am	(P-512)
260.7900	am	(P-13233/93;A-4705)				927.440	am	(P-512)
260.8000	am	(P-13233/93;A-4705)				927.450	am	(P-512)
260.8100	am	(P-13233/93;A-4705)				927.460	am	(P-512)
260.8200	am	(P-13233/93;A-4705)				927.470	am	(P-512)
260.8300	am	(P-13233/93;A-4705)				927.480	am	(P-512)
260.8400	am	(P-13233/93;A-4705)				927.490	am	(P-512)
260.8500	am	(P-13233/93;A-4705)				927.500	am	(P-512)
260.8600	am	(P-13233/93;A-4705)				927.510	am	(P-512)
260.8700	am	(P-13233/93;A-4705)				927.520	am	(P-512)
260.8800	am	(P-13233/93;A-4705)				927.530	am	(P-512)
260.8900	am	(P-13233/93;A-4705)				927.540	am	(P-512)
260.9000	am	(P-13233/93;A-4705)				927.550	am	(P-512)
260.9100	am	(P-13233/93;A-4705)				927.560	am	(P-512)
260.9200	am	(P-13233/93;A-4705)				927.570	am	(P-512)
260.9300	am	(P-13233/93;A-4705)				927.580	am	(P-512)
260.9400	am	(P-13233/93;A-4705)				927.590	am	(P-512)</

(Title 8, cont.)	am	(P-3164-A-9400)	270.15	am	(P-20084/93.A-4811)	100.330	am	(P-15790/93.A-2064)	(Title 11, cont.)	am	(P-7186)	1770.30	am	(P-7186)	530.60	r	(P-4495)
30.140	am	(P-3164-A-9400)	270.20	am	(P-20084/93.A-4811)	100.340	am	(P-15790/93.A-2064)	510.30	am	(P-7186)	1770.50	am	(P-7186)	530.70	am	(P-4495)
35.30	am	(P-3164-A-9400)	270.35	am	(P-20084/93.A-4811)	100.350	am	(P-15790/93.A-2064)	510.40	am	(P-7186)	1770.120	am	(P-7186)	530.80	am	(P-4495)
40.5	am	(P-3164-A-9400)	270.40	am	(P-20084/93.A-4811)	100.360	am	(P-15790/93.A-2064)	510.60	am	(P-7186)	1770.140	am	(P-7186)	530.100	am	(P-4495)
40.60	am	(P-3164-A-9400)	270.45	am	(P-20084/93.A-4811)	100.370	am	(P-15790/93.A-2064)	510.120	am	(P-7186)	1770.160	am	(P-7186)	530.110	am	(P-4495)
40.80	am	(P-3164-A-9400)	270.50	am	(P-20084/93.A-4811)	100.380	am	(P-15790/93.A-2064)	510.130	am	(P-7186)	1770.180	am	(P-7186)	530.115	am	(P-4495)
40.10	am	(P-3164-A-9400)	270.75	am	(P-126-A-7419)	204.10	am	(P-15790/93.A-2064)	510.150	am	(P-7186)	1770.190	am	(P-7186)	530.120	r	(P-4495)
40.170	am	(P-3164-A-9400)	270.85	am	(P-126-A-7419)	204.20	am	(P-15790/93.A-2064)	510.160	am	(P-7186)	1770.200	am	(P-7186)	550.20	am	(P-3868)
50.10	am	(P-3164-A-9400)	270.90	am	(P-126-A-7419)	204.30	am	(P-15790/93.A-2064)	510.170	am	(P-7186)	1770.210	am	(P-7186)	550.30	am	(P-3868)
50.20	am	(P-3164-A-9400)	270.95	am	(P-126-A-7419)	204.40	am	(P-15790/93.A-2064)	510.180	am	(P-7186)		am	(P-7186)	570.20	am	(P-3863)
70.10	am	(P-3164-A-9400)	270.135	am	(P-126-A-7419)	204.50	am	(P-15790/93.A-2064)	510.200	am	(P-7186)		am	(P-7186)	570.30	am	(P-3863)
70.30	am	(P-3164-A-9400)	270.140	am	(P-126-A-7419)	204.60	am	(P-15790/93.A-2064)	510.230	am	(P-7186)		am	(P-7186)	590.10	am	(P-3863)
75.5	am	(P-14728/93.A-1833)	270.150	am	(P-126-A-7419)	204.80	am	(P-15790/93.A-2064)	510.240	am	(P-7186)		am	(P-7186)	590.15	am	(P-3863)
75.10	am	(P-14728/93.A-1833)	270.165	am	(P-126-A-7419)	204.90	am	(P-15790/93.A-2064)	1303.60	am	(P-7186)		am	(P-7186)	590.20	am	(P-3863)
75.40	am	(P-14728/93.A-1833)	270.170	am	(P-126-A-7419)	204.100	am	(P-15790/93.A-2064)	1401.10	am	(P-7186)		am	(P-7186)	590.25	am	(P-3863)
75.180	am	(P-14728/93.A-1833)	270.180	am	(P-126-A-7419)	204.110	am	(P-15790/93.A-2064)	1401.20	am	(P-7186)		am	(P-7186)	590.30	am	(P-3863)
75.190	am	(P-14728/93.A-1833)	270.190	am	(P-126-A-7419)	204.120	am	(P-15790/93.A-2064)	1401.25	am	(P-7186)		am	(P-7186)	590.40	am	(P-3863)
75.200	am	(P-14728/93.A-1833)	270.205	am	(P-126-A-7419)	204.130	am	(P-15790/93.A-2064)	1401.30	am	(P-7186)		am	(P-7186)	590.50	am	(P-3863)
75.210	am	(P-14728/93.A-1833)	270.210	am	(P-112-A-7407)	206.10	am	(P-15790/93.A-2064)	1401.40	am	(P-7186)		am	(P-7186)	590.60	am	(P-3863)
75.210	am	(P-14728/93.A-1833)	270.215	am	(P-112-A-7407)	206.10	am	(P-15790/93.A-2064)	1401.50	am	(P-7186)		am	(P-7186)	590.60	am	(P-3863)
75.210	am	(P-14728/93.A-1833)	270.220	am	(P-112-A-7407)	206.20	am	(P-15790/93.A-2064)	1401.60	am	(P-7186)		am	(P-7186)	650.20	am	(P-3863)
75.210	am	(P-14728/93.A-1833)	270.225	am	(P-112-A-7407)	206.30	am	(P-15790/93.A-2064)	1401.64	am	(P-7186)		am	(P-7186)	650.21	am	(P-3863)
75.210	am	(P-14728/93.A-1833)	270.230	am	(P-124-A-7418)	207.40	am	(P-15790/93.A-2064)	1401.67	am	(P-7186)		am	(P-7186)	650.30	am	(P-3863)
85.5	am	(P-14747/93.A-1850)	270.235	am	(P-115-A-7410)	208.10	am	(P-15790/93.A-2064)	1401.70	am	(P-7186)		am	(P-7186)	650.40	am	(P-3863)
85.50	am	(P-14747/93.A-1850)	270.245	am	(P-115-A-7410)	208.20	am	(P-15790/93.A-2064)	1401.80	am	(P-7186)		am	(P-7186)	650.50	am	(P-3863)
85.75	am	(P-14747/93.A-1850)	270.261	am	(P-115-A-7410)	208.30	am	(P-15790/93.A-2064)	1401.90	am	(P-7186)		am	(P-7186)	650.60	am	(P-3863)
85.100	am	(P-14747/93.A-1850)	270.280	am	(P-115-A-7410)	208.40	am	(P-15790/93.A-2064)	1401.100	am	(P-7186)		am	(P-7186)	650.65	am	(P-3863)
85.110	am	(P-14747/93.A-1850)	270.320	am	(P-115-A-7410)	208.100	am	(P-15790/93.A-2064)	1401.110	am	(P-7186)		am	(P-7186)	660.20	am	(P-3863)
85.115	am	(P-14747/93.A-1850)	270.365	am	(P-115-A-7410)	208.110	am	(P-15790/93.A-2064)	1401.120	am	(P-7186)		am	(P-7186)	660.30	am	(P-3863)
85.125	am	(P-14747/93.A-1850)	270.371	am	(P-115-A-7410)	208.120	am	(P-15790/93.A-2064)	1401.130	am	(P-7186)		am	(P-7186)	660.40	am	(P-3863)
90.10	am	(P-9018)	270.395	am	(P-1773-A-7433)	308.10	am	(P-15790/93.A-2064)	1401.140	am	(P-7186)		am	(P-7186)	660.50	am	(P-3863)
90.110	am	(P-9018)	270.480	am	(P-1773-A-7433)	308.20	am	(P-15790/93.A-2064)	1401.150	am	(P-7186)		am	(P-7186)	660.60	am	(P-3863)
90.120	am	(P-9018)	270.510	am	(P-1773-A-7433)	308.30	am	(P-15790/93.A-2064)	1401.160	am	(P-7186)		am	(P-7186)	670.10	am	(P-3863)
105.5	am	(P-14781/93.A-1880)	270.540	am	(P-1773-A-7433)	308.40	am	(P-15790/93.A-2064)	1401.170	am	(P-7186)		am	(P-7186)	670.20	am	(P-3863)
105.10	am	(P-14781/93.A-1880)	270.625	am	(P-1773-A-7433)	308.50	am	(P-15790/93.A-2064)	1405.100	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
105.30	am	(P-14781/93.A-1880)	270.665	am	(P-1773-A-7433)	308.60	am	(P-15790/93.A-2064)	1405.120	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
110.50	am	(P-14717/93.A-1825)	515.5	am	(P-9033)	308.70	am	(P-15790/93.A-2064)	1411.240	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
110.70	am	(P-9881)	515.60	am	(P-9033)	308.80	am	(P-15790/93.A-2064)	1413.510	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
110.80	am	(P-9881)	515.110	am	(P-9033)	308.90	am	(P-15790/93.A-2064)	1440.10	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
110.80	am	(P-14717/93.A-1825)	515.130	am	(P-9033)	308.90	am	(P-15790/93.A-2064)	1440.20	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
110.90	am	(P-14717/93.A-1825)	515.150	am	(P-9033)	311.10	am	(P-15790/93.A-2064)	1440.30	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
110.110	am	(P-14717/93.A-1825)	600.1	am	(P-8519)	311.20	am	(P-15790/93.A-2064)	1440.40	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
116.10	am	(P-14761/93.A-1861)	600.300	am	(E-4426/P-8519)	311.30	am	(P-15790/93.A-2064)	1440.50	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
116.20	am	(P-14761/93.A-1861)	600.320	am	(E-4426/P-8519)	311.40	am	(P-15790/93.A-2064)	1440.60	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
116.30	am	(P-14761/93.A-1861)	600.820	am	(P-8519)	401.10	am	(P-15790/93.A-2064)	1440.70	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
125.100	am	(P-3809)	100.5	am	(P-20084/93.A-4811)	405.90	am	(P-15790/93.A-2064)	1440.80	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
125.110	am	(P-3809)	100.6	am	(P-20084/93.A-4811)	432.45	am	(P-15790/93.A-2064)	1440.80	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
125.260	am	(P-3809)	100.7	am	(P-20084/93.A-4811)	432.45	am	(P-15790/93.A-2064)	1440.80	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
125.270	am	(P-3809)	100.8	am	(P-20084/93.A-4811)	432.45	am	(P-15790/93.A-2064)	1440.80	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
125.270	am	(P-3809)	100.9	am	(P-20084/93.A-4811)	432.45	am	(P-15790/93.A-2064)	1440.80	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
125.270	am	(P-3809)	100.10	am	(P-20084/93.A-4811)	432.45	am	(P-15790/93.A-2064)	1440.80	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
125.270	am	(P-3809)	100.11	am	(P-20084/93.A-4811)	432.45	am	(P-15790/93.A-2064)	1440.80	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
125.270	am	(P-3809)	100.12	am	(P-20084/93.A-4811)	432.45	am	(P-15790/93.A-2064)	1440.80	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
125.270	am	(P-3809)	100.13	am	(P-20084/93.A-4811)	432.45	am	(P-15790/93.A-2064)	1440.80	am	(P-7186)		am	(P-7186)	670.21	am	(P-3863)
125.270	am	(P-3809)	100.14	am	(P-20084/93.A-4811)												





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	790,220	n	(P-6147)	700,100	n	(P-16421/93.A-1561)			
	790,230	n	(P-6147)	700,110	n	(P-16421/93.A-1561)			
	790,240	n	(P-6147)	700,200	n	(P-16421/93.A-1561)			
	790,250	n	(P-6147)	700,210	n	(P-16421/93.A-1561)			
	790,260	n	(P-6147)	700,220	n	(P-16421/93.A-1561)			
	790,270	n	(P-6147)	700,230	n	(P-16421/93.A-1561)			
	790,280	n	(P-11988/93.A-1919)	700,300	n	(P-6112)			
	790,290	n	(P-11988/93.A-1919)	700,310	am	(P-6112)			
	790,300	n	(P-11988/93.A-1919)	700,320	n	(P-6112)			
	790,310	n	(P-11988/93.A-1919)	700,330	n	(P-6112)			
	790,320	n	(P-11988/93.A-1919)	700,340	n	(P-6112)			
	790,330	n	(P-11988/93.A-1919)	700,350	n	(P-6112)			
	790,340	n	(P-11988/93.A-1919)	700,360	am	(P-6112)			
	790,350	n	(P-11988/93.A-1919)	700,370	am	(P-6112)			
	790,360	n	(P-11988/93.A-1919)	700,380	am	(P-6112)			
	790,370	n	(P-11988/93.A-1919)	700,390	am	(P-6112)			
	790,380	n	(P-11988/93.A-1919)	700,400	am	(P-6112)			
	790,390	n	(P-11988/93.A-1919)	700,410	am	(P-6112)			
	790,400	n	(P-11988/93.A-1919)	700,420	am	(P-6112)			
	790,410	n	(P-11988/93.A-1919)	700,430	am	(P-6112)			
	790,420	n	(P-11988/93.A-1919)	700,440	am	(P-6112)			
	790,430	n	(P-11988/93.A-1919)	700,450	am	(P-6112)			
	790,440	n	(P-11988/93.A-1919)	700,460	am	(P-6112)			
	790,450	n	(P-11988/93.A-1919)	700,470	am	(P-6112)			
	790,460	n	(P-11988/93.A-1919)	700,480	am	(P-6112)			
	790,470	n	(P-11988/93.A-1919)	700,490	am	(P-6112)			
	790,480	n	(P-11988/93.A-1919)	700,500	am	(P-6112)			
	790,490	n	(P-11988/93.A-1919)	700,510	am	(P-6112)			
	790,500	n	(P-11988/93.A-1919)	700,520	am	(P-6112)			
	790,510	n	(P-11988/93.A-1919)	700,530	am	(P-6112)			
	790,520	n	(P-11988/93.A-1919)	700,540	am	(P-6112)			
	790,530	n	(P-11988/93.A-1919)	700,550	am	(P-6112)			
	790,540	n	(P-11988/93.A-1919)	700,560	am	(P-6112)			
	790,550	n	(P-11988/93.A-1919)	700,570	am	(P-6112)			
	790,560	n	(P-11988/93.A-1919)	700,580	am	(P-6112)			
	790,570	n	(P-11988/93.A-1919)	700,590	am	(P-6112)			
	790,580	n	(P-11988/93.A-1919)	700,600	am	(P-6112)			
	790,590	n	(P-11988/93.A-1919)	700,610	am	(P-6112)			
	790,600	n	(P-11988/93.A-1919)	700,620	am	(P-6112)			
	790,610	n	(P-11988/93.A-1919)	700,630	am	(P-6112)			
	790,620	n	(P-11988/93.A-1919)	700,640	am	(P-6112)			
	790,630	n	(P-11988/93.A-1919)	700,650	am	(P-6112)			
	790,640	n	(P-11988/93.A-1919)	700,660	am	(P-6112)			
	790,650	n	(P-11988/93.A-1919)	700,670	am	(P-6112)			
	790,660	n	(P-11988/93.A-1919)	700,680	am	(P-6112)			
	790,670	n	(P-11988/93.A-1919)	700,690	am	(P-6112)			
	790,680	n	(P-11988/93.A-1919)	700,700	am	(P-6112)			
	790,690	n	(P-11988/93.A-1919)	700,710	am	(P-6112)			
	790,700	n	(P-11988/93.A-1919)	700,720	am	(P-6112)			
	790,710	n	(P-11988/93.A-1919)	700,730	am	(P-6112)			
	790,720	n	(P-11988/93.A-1919)	700,740	am	(P-6112)			
	790,730	n	(P-11988/93.A-1919)	700,750	am	(P-6112)			
	790,740	n	(P-11988/93.A-1919)	700,760	am	(P-6112)			
	790,750	n	(P-11988/93.A-1919)	700,770	am	(P-6112)			
	790,760	n	(P-11988/93.A-1919)	700,780	am	(P-6112)			
	790,770	n	(P-11988/93.A-1919)	700,790	am	(P-6112)			
	790,780	n	(P-11988/93.A-1919)	700,800	am	(P-6112)			
	790,790	n	(P-11988/93.A-1919)	700,810	am	(P-6112)			
	790,800	n	(P-11988/93.A-1919)	700,820	am	(P-6112)			
	790,810	n	(P-11988/93.A-1919)	700,830	am	(P-6112)			
	790,820	n	(P-11988/93.A-1919)	700,840	am	(P-6112)			
	790,830	n	(P-11988/93.A-1919)	700,850	am	(P-6112)			
	790,840	n	(P-11988/93.A-1919)	700,860	am	(P-6112)			
	790,850	n	(P-11988/93.A-1919)	700,870	am	(P-6112)			
	790,860	n	(P-11988/93.A-1919)	700,880	am	(P-6112)			
	790,870	n	(P-11988/93.A-1919)	700,890	am	(P-6112)			
	790,880	n	(P-11988/93.A-1919)	700,900	am	(P-6112)			
	790,890	n	(P-11988/93.A-1919)	700,910	am	(P-6112)			
	790,900	n	(P-11988/93.A-1919)	700,920	am	(P-6112)			
	790,910	n	(P-11988/93.A-1919)	700,930	am	(P-6112)			
	790,920	n	(P-11988/93.A-1919)	700,940	am	(P-6112)			
	790,930	n	(P-11988/93.A-1919)	700,950	am	(P-6112)			
	790,940	n	(P-11988/93.A-1919)	700,960	am	(P-6112)			
	790,950	n	(P-11988/93.A-1919)	700,970	am	(P-6112)			
	790,960	n	(P-11988/93.A-1919)	700,980	am	(P-6112)			
	790,970	n	(P-11988/93.A-1919)	700,990	am	(P-6112)			
	790,980	n	(P-11988/93.A-1919)	700,1000	am	(P-6112)			
	790,990	n	(P-11988/93.A-1919)	700,1010	am	(P-6112)			
	790,1000	n	(P-11988/93.A-1919)	700,1020	am	(P-6112)			
	790,1010	n	(P-11988/93.A-1919)	700,1030	am	(P-6112)			
	790,1020	n	(P-11988/93.A-1919)	700,1040	am	(P-6112)			
	790,1030	n	(P-11988/93.A-1919)	700,1050	am	(P-6112)			
	790,1040	n	(P-11988/93.A-1919)	700,1060	am	(P-6112)			
	790,1050	n	(P-11988/93.A-1919)	700,1070	am	(P-6112)			
	790,1060	n	(P-11988/93.A-1919)	700,1080	am	(P-6112)			
	790,1070	n	(P-11988/93.A-1919)	700,1090	am	(P-6112)			
	790,1080	n	(P-11988/93.A-1919)	700,1100	am	(P-6112)			
	790,1090	n	(P-11988/93.A-1919)	700,1110	am	(P-6112)			
	790,1100	n	(P-11988/93.A-1919)	700,1120	am	(P-6112)			
	790,1110	n	(P-11988/93.A-1919)	700,1130	am	(P-6112)			
	790,1120	n	(P-11988/93.A-1919)	700,1140	am	(P-6112)			
	790,1130	n	(P-11988/93.A-1919)	700,1150	am	(P-6112)			
	790,1140	n	(P-11988/93.A-1919)	700,1160	am	(P-6112)			
	790,1150	n	(P-11988/93.A-1919)	700,1170	am	(P-6112)			
	790,1160	n	(P-11988/93.A-1919)	700,1180	am	(P-6112)			
	790,1170	n	(P-11988/93.A-1919)	700,1190	am	(P-6112)			
	790,1180	n	(P-11988/93.A-1919)	700,1200	am	(P-6112)			
	790,1190	n	(P-11988/93.A-1919)	700,1210	am	(P-6112)			
	790,1200	n	(P-11988/93.A-1919)	700,1220	am	(P-6112)			
	790,1210	n	(P-11988/93.A-1919)	700,1230	am	(P-6112)			
	790,1220	n	(P-11988/93.A-1919)	700,1240	am	(P-6112)			
	790,1230	n	(P-11988/93.A-1919)	700,1250	am	(P-6112)			
	790,1240	n	(P-11988/93.A-1919)	700,1260	am	(P-6112)			
	790,1250	n	(P-11988/93.A-1919)	700,1270	am	(P-6112)			
	790,1260	n	(P-11988/93.A-1919)	700,1280	am	(P-6112)			
	790,1270	n	(P-11988/93.A-1919)	700,1290	am	(P-6112)			
	790,1280	n	(P-11988/93.A-1919)	700,1300	am	(P-6112)			
	790,1290	n	(P-11988/93.A-1919)	700,1310	am	(P-6112)			
	790,1300	n	(P-11988/93.A-1919)	700,1320	am	(P-6112)			
	790,1310	n	(P-11988/93.A-1919)	700,1330	am	(P-6112)			
	790,1320	n	(P-11988/93.A-1919)	700,1340	am	(P-6112)			
	790,1330	n	(P-11988/93.A-1919)	700,1350	am	(P-6112)			
	790,1340	n	(P-11988/93.A-1919)	700,1360	am	(P-6112)			
	790,1350	n	(P-11988/93.A-1919)	700,1370	am	(P-6112)			
	790,1360	n	(P-11988/93.A-1919)	700,1380	am	(P-6112)			
	790,1370	n	(P-11988/93.A-1919)	700,1390	am	(P-6112)			
	790,1380	n	(P-11988/93.A-1919)	700,1400	am	(P-6112)			
	790,1390	n	(P-11988/93.A-1919)	700,1410	am	(P-6112)			
	790,1400	n	(P-11988/93.A-1919)	700,1420	am	(P-6112)			
	790,1410	n	(P-11988/93.A-1919)	700,1430	am	(P-6112)			
	790,1420	n	(P-11988/93.A-1919)	700,1440	am	(P-6112)			
	790,1430	n	(P-11988/93.A-1919)	700,1450	am	(P-6112)			
	790,1440	n	(P-11988/93.A-1919)	700,1460	am	(P-6112)			
	790,1450	n	(P-11988/93.A-1919)	700,1470	am	(P-6112)			
	790,1460	n	(P-11988/93.A-1919)	700,1480	am	(P-6112)			
	790,1470	n	(P-11988/93.A-1919)	700,1490	am	(P-6112)			
	790,1480	n	(P-11988/93.A-1919)	700,1500	am	(P-6112)			
	790,1490	n	(P-11988/93.A-1919)	700,1510	am	(P-6112)			
	790,1500	n	(P-11988/93.A-1919)	700,1520	am	(P-6112)			
	790,1510	n	(P-11988/93.A-1919)	700,1530	am	(P-6112)			
	790,1520	n	(P-11988/93.A-1919)	700,1540	am	(P-6112)			
	790,1530	n	(P-11988/93.A-1919)	700,1550	am	(P-6112)			
	790,1540	n	(P-11988/93.A-1919)	700,1560	am	(P-6112)			
	790,1550	n	(P-11988/93.A-1919)	700,1570	am	(P-6112)			
	790,1560	n	(P-11988/93.A-1919)	700,1580	am	(P-6112)			
	790,1570	n	(P-11988/93.A-1919)	700,1590	am	(P-6112)			
	790,1580	n	(P-11988/93.A-1919)	700,1600	am	(P-6112)			
	790,1590	n	(P-11988/93.A-1919)	700,1610	am	(P-6112)			
	790,1600	n	(P-11988/93.A-1919)	700,1620	am	(P-6112)			
	790,1610	n	(P-11988/93.A-1919)	700,1630	am	(P-611			

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